

*City of Woonsocket, Rhode Island*  
Planning Board Meeting  
Tuesday, September 3, 2019  
Harris Hall, Second Floor, City Hall  
169 Main Street, Woonsocket, Rhode Island

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

Also Present: Kevin Proft, City Planner/Administrative Officer  
Pauline Washington, Recording Secretary

I. 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, August 6, 2019 - MOTION by Mr. Miller, seconded by Member Crisafulli to approve the minutes as corrected. The MOTON carried.

IV. Old Business

- Update on Singleton Street Solar

Mr. Proft stated that the board approved Singleton Street Solar Array at a prior meeting. Mr. Proft recorded the Findings of Fact and Decision in the City's land evidence record. They continue to work towards meeting their conditions of approval, including obtaining their RIDOT permits. Mr. Proft stated that he set the decommissioning bond at \$7,514, slightly more than the applicants estimate. The applicant had not responded to the bond amount at the time of this meeting.

- Amendment to Zoning Ordinance - Various Technical Changes

Mr. Proft stated that the board had concerns with this zoning amendment during its last meeting. First, the board realized that if language regarding home occupation signage were changed in this section it would contradict the sign ordinance. Second, there was concern about the impact limiting commercial vehicle storage in residential zones might have on small contractors. Mr. Proft noted that the board was previously presented with an outdated version of the draft amendment concerning commercial vehicle storage in residential zones. He stated that that language has been corrected.

In order to address the concerns of the Planning Board the draft recommendation to the City Council prepared by Mr. Proft included the following suggestions to the City Council:

- 1) revert to the original language on home occupation signs to avoid creating a contradiction.

- 2) Exempt commercial vehicles where the vehicle is registered to a resident residing on the property where the vehicle is parked.

MOTION by Member Eappen, seconded by Member Miller to APPROVE approve the recommendation to the City Council regarding the amendment of Section 13.6 – Violations, Section 7.1-3 – Incidental Home Occupations, and Section 5.3-4 – Storage of Commercial Vehicles of the Zoning Ordinance.

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

MOTION PASSES 5-0

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

1. RIDOT Planning Meeting Outcomes for 8B-1 - Mr. Proft stated that he, Steven Lima, and Stephen Crisafulli met with RIDOT to discuss ongoing and future projects. It was determined that the Truman Drive Greenway concept should be pursued as a future STIP project, rather than a RIDOT physical alteration permit project. The next solicitation period for STIP projects is in two years. If the project is accepted, it would then be included somewhere in the 10-year STIP. Mr. Proft stated that RIDOT said the City should have some design work completed prior to the solicitation period to improve the chances that the project is accepted into the STOP.

2. Sample RFP for Jersey Barrier Beautification - Mr. Proft presented an old RFP from NYC DOT related to a murals-on-barriers program. The RFP included pictures of barriers that had been painted. The board agreed that the Jersey Barrier Artwork project would benefit the city and requested that Mr. Proft continue to research options, cost, and possible funding. Member Eappen suggested reaching out to RISD as a partner.

#### V. New Business

- Preliminary Plan Review - Minor Subdivision Application - Owner/Application: Casey Tenney - Subdivision Location: 18 Oak Hill Avenue (Lot 21-17) - Casey Tenney, 545 East 7th Street, South Boston, MA, owner/applicant

Mr. Tenney stated that he's before the board to request permission to separate the multi family structure located at 18 Oak Hill Avenue from the single-family structure located at 158 Rathbun Street so that each structure has its own lot. Mr. Tenney stated that the application will require a dimensional variance from the Zoning Board.

Mr. Proft stated that if the board approves the application tonight it would be considered Preliminary Plan Approval, this approval would be conditional upon the applicant receiving the necessary zoning relief. Once zoning relief is granted, the applicant would need Final Plan Approval which would be completed administratively by Mr. Proft.

Mr. Proft stated that earlier today the City Building Official informed him that if the setback lines were at 5 ft. at any point, there would be some Building Code requirements that must be met. Mr. Tenney stated that the current plan has not setbacks of five feet or less.

Mr. Proft noted that an access easement was added to Parcel B to accommodate the proposed utility connections to Parcel A.

Mr. Proft stated that in order to comply with the subdivision regulations, the applicant agreed that the increase in stormwater will be mitigated by an on-site stormwater BMP designed by a licensed engineer. There won't be additional runoff as a result of the driveway.

Regarding the proposed curb cut, Mr. Proft stated that the curb cut might have to be reduced to 13.5 ft. for the driveway at Oak Hill Avenue. Addressing this concern was added as a condition of approval.

Chairman Finlay opened the hearing for public comments; there were none.

Chairman Finlay read the Findings of Fact as follows:

Pursuant to such hearing and testimony by appropriate representatives of the landowner 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 at 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:

Chairman Finlay stated that paragraphs 1, 2 & 3 will be "as stipulated" in accordance with the requirements of the City.

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. That parcel 21-17 is already developed with two structures, and no further development is proposed.
5. That the proposed parcels will have adequate and permanent physical access to a public street.
  - a. That Parcel A and Parcel B will have adequate and permanent physical access to Oak Hill Avenue.
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. That the project will have little or no negative impact on the public.
    - ii. That stormwater from the proposed driveway on Parcel B will be managed on-site and, therefore, will not negatively impact flooding on adjacent streets or properties.
  - b. That the project received orderly, thorough, and expeditious review and approval from the Department of Planning & Development and the Planning Board.
    - i. That the application was certified complete on August 30, 2019, and the application was reviewed by the Planning Board at the September 3,

2019 meeting.

- c. That the project exhibits high quality and appropriate design.
  - i. That the project meets the requirements of the Zoning Ordinance or Has satisfactorily addressed the issues where there may have been Inconsistencies.
  - iii. That the project meets the requirement of the Subdivision Regulations And requires no waivers.
  - iii. That the proposed driveway is the only major alteration to the site and is Designed to adequately manage its own stormwater.
- d. That the project protects existing natural features and the built environment.
  - i. See Findings of Fact 3a. & 3b 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. That the proposed uses are allowed uses according to the Zoning Ordinance.
  - ii. That no conditions on the property are changing except for the addition of street tree and driveway on Parcel B.
- f. That the project reflects the intent of the City's design and improvements standards with regard to the physical character of the various neighborhoods and districts of the City.
  - i. That the proposal includes a street tree in order to comply with Section 8.8.1 of the Subdivision Regulations.
  - ii. That the proposal includes a stormwater BMP to manage stormwater generated by new impervious surface created by the driveway on Parcel B.
  - iii. The the proposal includes utility access easements as necessary to comply with Section 8.3.4 of the Subdivision Regulations.
  - iv. That the proposal otherwise conforms to Section 8 and 9 of the Subdivision Regulations - the design and improvement standards.
- g. That the project underwent thorough technical review by appropriate local Officials.
  - i. That the application was reviewed by the Planning Division, Zoning Division, and Engineering Department.
  - ii That the applicant complied with the requests of the City.
- h. That the dedication of public land was deemed not applicable.
  - i. That the proposal is for a 2-lot subdivision that proposes to create two Small lots. No land is available for public dedication.

- 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 and Development at City Hall.
7. That the parcel is current in the payment of real estate taxes and other charges as of July 15, 2019 as certified by the City Treasurer of the City of Woonsocket.

### **Conditions of Approval**

1. Prior to final plan approval, applicant shall obtain all required zoning relief.
2. Prior to final plan approval, applicant shall provide a legal description of metes and bounds for the utility access easement.
3. Prior to final plan approval, applicant shall provide legal language describing the purpose and conditions of the utility access easement (e.g. to grant parcel A access to its utility lines where they cross parcel B should they require maintenance or replacement, to prevent parcel B from building within the easement area, etc.)
4. Prior to final plan approval, applicant shall work with the City's Engineering Department to ensure the curb cut on Oak Hill Ave complies with City regulations.
5. The Administrative Officer's staff report, and draft findings of fact and decision are accepted by the Planning Board and may be used to draft the official findings of fact and decision.

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 manner:

MOTION by Member Miller, seconded by Member Crisafulli that the Petition for a Preliminary Plan Review of a Minor Subdivision proposed by Casey Tenney, 545 7th Street, Boston, MA 02127, for property located at Woonsocket Assessor's Plat 21, Lot 17 on Oak Hill Avenue be APPROVED with conditions.

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

MOTION PASSES 5-0

- Public Hearing: Master and Preliminary Plan Review - Major Subdivision Review - Applicant: Coluch Organization - Manila Avenue Extension- Tom Colucci represented the applicant, Coluch Organization.

Mr. Colucci stated that the applicant is proposing to develop a paper road in an existing, city-owned right-of-way into a City-owned and maintained street at the end of Manila Avenue, extending Manila Avenue eastward by about 160 ft. Mr. Proft stated that the City Subdivision Regulations state that the improvement of a paper road shall be reviewed as a Minor

Subdivision, even if no new parcels are created. Because this application also required waivers from the subdivision regulations, the application is being reviewed as a Major Subdivision application. Mr. Proft stated that the street extension will provide four existing parcels with street frontage; these properties have no street frontage today. The area where the paper road will be developed was wooded, has been cleared in preparation for this project. Two abutting lots to the north of the proposed road extension have also been cleared in preparation for the construction of single-family homes.

Mr. Proft stated that the project will require a variety of waivers from the subdivision regulations.

1. The road will be constructed on relatively steep ground and will require the alteration of existing topography and the construction of retaining walls along the south side of the road.
2. Mr. Proft stated that this right-of-way was created in 1899 as part of the Dewey Park Subdivision. He stated that in 1899 subdivision the 45-foot right-of-way requirement didn't exist; so the right-of-way is only 40 ft.
3. Cul-de-sacs were also not required at the end of a dead end street, but today's regulations require a cul-de-sac. He stated that most of Manila Avenue does not have sidewalks. As the installation of sidewalks is at the board's discretion, the applicant is not proposing sidewalks, and is requesting that the board grant a waiver.
4. Mr. Proft stated that the grade requirement is another waiver the applicant is asking for; the grade is supposed to be 10%, they're asking for 14%. Mr. Proft stated that the 14% grade already received approval from the engineering department.
5. He noted that the new road will increase runoff and flow into the City's catch basins, the applicant has asked for a waiver from the subdivision regulations regarding this issue. Mr. Proft stated that low impact development stormwater management would be challenging due to the slope of the land, which, he assumes is why the engineering department prefers the stormwater from the road be directed to catch basins.
6. Mr. Proft stated the applicant is requesting a waiver from the street tree requirement.
7. He also stated that at submission, the applicant requested a waiver from submitting a report on potential neighborhood impacts, such as traffic, which will not be seriously impacted by the development.
8. Mr. Proft also noted that the Engineering Division, when reviewing the project, accepted a Class IV Survey, while the subdivision regulations require a Class I survey. Given that the engineering department is undertaking a more technical review of the site than the Planning Department, it seemed to Mr. Proft that requiring a Class I survey was unnecessary. [editor's note: it was determined after the meeting via a follow up call from Mr. Proft to the project surveyor that the underlying lot lines on the engineering plans were in fact based on a Class I survey, and, therefore, did meet the requirements of the Subdivision Regulations]

Mr. Proft stated that when going through the subdivision process, he shares the plans with Engineering, Zoning, the Building Official, and the Fire Department for their review and comments, if any. He stated that the Fire Department noted that the plans would require a variance from the RI State Fire Code Board due to the lack of an approved turnaround area at the dead end.

In lieu of a cul-de-sac, a stub road may be developed in another existing right of way to allow trucks to turn around in without backing all the way down Manila Ave. Chairman Finlay

asked how far the stub road is from the end of the proposed development and whether it is paved. Mr. Proft stated about 260 ft. It was noted that a portion is paved. The Engineering Division stated that garbage trucks often use this area as a turn-around, they back up to this point then turn around and go out frontward onto Mendon Road.

Member Eappen asked if it would be possible to create another stub turnaround at 55-116 instead of a cul-de-sac. Mr. Proft stated that the stub road Mr. Eappen is talking about is actually a private land owner's lot, so cannot be developed as a road.

Chairman Finlay asked the applicant if he planned to connect to the City sewer, Mr. Colucci replied yes.

Chairman Finlay asked if the 40 ft. right-of-way now the standard set by the Public Works Director? Mr. Proft stated that if you were to develop a new subdivision today, the regulations would require a 45 ft. right-of-way.

Chairman Finlay asked Mr. Colucci if he's developing the four vacant lots. Mr. Colucci replied no, only the two lots located to the north.

Member Crisafull asked what material is being used for the retaining wall. Mr. Colucci stated that they would use whatever material looks best.

Chairman Finlay read the recommended conditions of approval.

1. Prior to the issuance of construction permits, a surety bond shall be posted covering the cost of improving the paper road in accordance with section 11 of the subdivision regulations. The bond amount shall be set by the City's Engineering Department.
2. Prior to final plan approval, the plans shall be revised to remove the proposed extension of the gas utility line.
3. Prior to final plan approval, the applicant shall obtain all required variances from the RI Fire Safety Code Board of Appeals, and, if required, provide plans for the extension of the stub road to the south of Manila Ave between parcels 55-99 and 55-94 to be used as a turn-around.

Chairman Finlay opened the hearing for comments from the public.

- *Carol Ann Charette, 183 Manila Avenue* - Ms. Charerette asked what's the difference Between a Class I and a Class IV Survey. Mr. Pratt noted that he's not exactly sure, but that it is generally about the accuracy of the survey lines. It's not crucial to construction layout, applies more to property lines, which have already been established for this project.

Ms. Charette noted that there are four properties on Manila Avenue that have sidewalks.

Ms. Charette stated that she has a few concerns about the project. Her first concern is the fact that the proposed houses will face sideways - the sides of the houses will face the road; this would be uncharacteristic for the neighborhood.

Ms. Charette stated that her other concern pertains to drainage - she lives below the last hill on the south side of the road. She noted that runoff comes down the hill and turns her driveway into a skating rink during the winter months, therefore she has great concern about paving this road and creating more runoff. Ms. Charette recommended that the City require a catch basin be put on the south side of the road, opposite the one on the north side at the top of the hill.

Mr. Colucci stated that the plans call for the addition of four new catch basins - two on each side of the road.

After reviewing the drainage plans and placement of the four new catch basins, Ms. Charette stated that the City needs to look at putting the catch basin on the south side of the road between 199 and 183 Manila Avenue.

Mr. Proft stated that when the Engineering Division approves a road, such as this one, it accounts for whether or not stormwater that's generated by the new project will be managed. He stated that the Engineering Division has reviewed this project and given its approval, they determined that all new runoff would be properly managed. Mr. Proft recommended that Ms. Charette contact the Department of Public Works to address her concerns because they relate to an existing drainage problem.

- *Nicholas Rizzoto, 161 Springwater Drive* - Mr. Roy stated that he's also concerned about the drainage issue; a lot of water off Springwater Drive drains down to his driveway, under his deck, into his backyard. He noted that there's a storm drain at the top of his street, but there's still a lot of water coming down Springwater Drive. Mr. Roy stated that there's a thin tree line between his house and Manila Avenue - if the road is pushed further back toward his property, he's concerned about the possibility of a tree falling onto his house during a heavy rainfall or wind storm due to the thinning of the trees. Mr. Roy also stated that the neighborhood's aesthetics would decline if the proposed houses were positioned with the side facing the street.

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

Chairman Finlay read the Findings of Fact as follows:

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.

Chairman Finlay noted that paragraphs 1 through 6 will be "as stipulated" in accordance with the requirements of the City.

7. That the City owns the land being developed, so certification by the City Treasurer of the City of Woonsocket that right-of-way is current in the payment of real estate taxes and other charges is not relevant to this application.

Waivers from the Subdivision Regulations:

1. The applicant was granted the following waivers from the subdivision regulations:
  - a. 6.1.1-8 - Potential neighborhood impacts (Documentation required. No documentation provided)
    - i Given the small-scale of this project, the Planning Board determined a report on potential neighborhood impacts was impractical.
  - b. 6.3.1 - Preliminary Plan (Class 1 Survey required. Class IV Survey provided)

- i. The plans for this project were originally developed for review by Engineering Division, which accepted a Class IV Survey from the applicant. The same plans are being used for the subdivision application process. The Planning Board determined that requiring a Class I Survey would be impracticable and create an undue hardship on the applicant.
- c. 8.2.7 - Apportioning of street right-of-way (45 ft. ROW required. 40 ft. ROW proposed)
  - i. The right-of-way width and property lines for abutting properties was set as part of a subdivision known as Dewey Park (Plat Book 7A, page 7). Dewey Park predates the requirement for a 45 ft. right-of-way. The Planning Board determined that a 40 ft. right-of-way is appropriate for the context of the neighborhood.
- d. 8.2.8 - Cul-de-sacs (Cul-de-sac required. No Cul-de-sac proposed)
  - i. The existing dead end of Manila Avenue ends without a Cul-de-sac. Adding a cul-de-sac at the end of the proposed road extension would significantly encroach on existing properties. The Planning Board waived the requirement as impracticable and because it would create an undue hardship due to the peculiar conditions pertaining to the land in question.
- e. 8.2.10 Grade Requirement (10% maximum allowable grade. 14% Grade proposed)
  - i. While the grade is greater than the maximum allowed by the Subdivision Regulations, the Planning Board waived this requirement as impracticable and because it would create an undue hardship on the applicant. First, the Engineering Division of the City of Woonsocket worked with the applicant to develop a road it could approve. The Planning Board accepts the judgement of the Engineering Division on this matter. Second, the right-of-way is limited in size and reduces the applicant's ability to design the road, so it meets the requirements of the Subdivision Regulations.
- f. 8.6. Sidewalks (Sidewalks required at Planning Board's discretion. No sidewalks proposed)
  - i. The majority of Manila Avenue does not have sidewalks. The Planning Board determined that requiring sidewalks along the road extension would be impracticable.
- g. 8.7 Drainage (Nonet increase in runoff allowed. New runoff proposed)
  - i. The developer of the paper road into a City street will result in a net increase in runoff. Give the slope of the property, Managing runoff in a low-impact manner is impracticable. The project adequately channels runoff to City-owned catch basins.

- h. 8.8.1 Street trees (One street tree per 50 ft. of street length. No trees proposed)

Conditions of Approval

1. Prior to the issuance of construction permits, a surety bond shall be posted covering the cost of improving the paper road in accordance with Section 11 of the subdivision regulations. The bond amount shall be set by the City's Engineering Division.
2. Prior to Final Plan Approval, the plans shall be revised to remove the proposed extension of the gas utility line.
3. Prior to Final Plan Approval, the applicant shall obtain all required variances from the RI Fire Safety Board of Appeals, and, if required, provide plans for the extension of the stub road to the south of Manila Avenue between parcels 5-99 and 55-94 to be used as a turn around.

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 Pratt, seconded by Vice-Chairman Eappen that the Petition for a Master and Preliminary Plan Review of a Major Subdivision Plan proposed by Colluch Organization, 16 Arrowhead Trail, N. Scituate, RI 02857, for property located at the east end of Manila Avenue in Woonsocket be APPROVED with conditions.

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

MOTION PASSES 5-0

- i. Amendment to the Zoning Ordinance - Allowable Locations for Compassion Centers

Mr. Proft called the board's attention to maps provided to the Planning Board which show that based on the existing regulations, compassion centers are practically excluded from the city. They would be allowed on some parcels within Highland Corporate Park, but it's unclear if a Compassion Center would be allowed to locate there based upon the Park's bylaws and regulations. He stated that Compassion Centers were allowed by this ordinance but restricted from locating anywhere within the City. He stated that the intent of the new language is to reduce some buffer zones, eliminate some buffer zones, and create more parcels that can house a Compassion Center. The new language would eliminate the buffer around parks, make buffers around preschools and nurseries 200 ft. instead of 1,000 ft, and maintain the 1,000 ft. buffer around k-12 schools, which is a statewide requirement. It also reduces the buffer around residential zones from 500 ft. to 200 ft. The new language also allows a compassion center to

be located on a parcel that is partially within a buffer zone, as long as the building and its parking lot are outside the buffer zone. In the original ordinance if a parcel is touched at all by one of these buffer zones, the entire parcel is deemed unacceptable for a Compassion Center. Mr. Proft stated that by making these changes to the buffer zone, and the way the distance is measured opens up more properties in mostly our industrial and larger commercial areas for a Compassion Center.

Mr. Proft stated that Steven Lima has been working on this proposal with a member of the Council for a few months, so the Department is hopeful that this draft will have support at the Council Level.

In terms of the ordinance being in compliance with the City Comprehensive Plan, Mr. Proft stated that he reviewed the goals of the Plan and feels that the ordinance meet some of them by offering property owners more uses, gives them more opportunities to develop their properties; creates another retail sector for the City thereby improving the potential for economic growth.

Member Pratt asked how many additional parcels could potentially qualify to house a Compassion Center. Mr. Proft replied that he didn't know the exact number but that the difference is Significant.

MOTION by Member Eappen, seconded by Member Miller to APPROVE the above recommendation to the City Council regarding amending Section 15.8-2, and Section 18 of the Zoning Ordinance to (1) allow for the siting of compassion centers in Woonsocket while avoiding locating these facilities near schools or near residential zones, and (2) to prevent compassion centers from cultivating marijuana.

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

MOTION PASSES	5-0
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- i. Correspondence: Public Hearing Notice from the Bellingham Planning Board

Mr. Proft stated that this correspondence is informational only. No action is required by the board.

- ii. Correspondence: Public Hearing Notice from the Blackstone Planning Board

Mr. Proft stated that this correspondence is informational only. No action is required by the board.

- iii. Discuss and Determine the approach the Planning Board will take when calculating future financial guarantees for Solar Energy Systems Decommissioning Plans

Mr. Proft stated that when the Planning Board approved the Singleton Street Solar Array during last month's meeting, a financial guarantee was required as a condition of approval to ensure that at the end of the project's life that the project would be properly dismantled and

removed from the site. Mr. Proft stated that the applicant (Singleton Street LLC) provided an itemized list of what they believe it will cost to decommission the array - they stated the sum of \$6,982; Mr. Proft stated that the applicant included a 5% contingency and 20 years inflation. Mr. Proft stated that the Planning Department left it at the discretion of the City Planner and the Engineering Division to set the bond amount after the meeting before Final Plan Approval. Mr. Proft stated that he sent the itemized list to the Engineering Division; the Engineering Division's response was that they are not equipped to determine whether this is an accurate representation of what the cost would be and chose not to confirm the amount.

Mr. Proft increased the applicant's cost estimate by increasing the contingency cost to 7.5% and the inflation to 25 years. The new total was \$7,514. Mr. Proft then reached out to the City Planner in North Smithfield who had reached out to the Town of Burrillville who had done some research on how other cities and towns were calculating these financial guarantees. He noted that it appears that a lot of them were based on a per megawatt cost. Mr. Proft stated that North Smithfield settled on \$30,000 per megawatt, which would result in a \$7500 guarantee for the 250 kw Singleton Street Solar project. Mr. Proft felt comfortable setting the bond amount at \$7514 after arriving at basically the same figure using two different methods.

Mr. Proft stated that that's how we handled Singleton Street Solar but going forward he would like the board to determine how to handle this issue. He stated that there are at least two ways to do this: (1) As with Singleton Street Solar, allow the applicant to come up with an itemized list of what it will cost to decommission the project, we would take that estimate and farm it out to a contractor/engineering firm that's comfortable with running the numbers to determine if the estimate is accurate. This would be at the expense of the applicant. Another way (2) is to do what North Smithfield and Burrillville are doing, choose a set rate per megawatt.

Going forward, Mr. Proft stated that whatever the board decides should be put in the form of a Planning Board resolution, but he will also include the boards preferred method in the Solar System amendment that he is already drafting.

Member Eappen stated that, due to the possible volatility of how different factors play into the actual cost per megawatt he would decline option no. 2.

Chairman Finlay stated with option no. 1 we should have contractors working on the City's behalf, a list of contractors to choose from.

The board requested that the City Planner draft a resolution stating that the board will use option one and that peer reviews be completed by firms listed on the State's Master Pricing Agreement.

iv. Discuss and determine the approach the Planning Board will take regarding the development of paper roads in the future

Mr. Proft stated that Manila Ave was a very time-consuming application, and very frustrating for everyone involved. He stated that unfortunately the Manila Avenue applicant was informed at the last minute about the requirement to appear before the Planning Board. Mr. Proft stated that Brad Ward, Building Official, made him aware that the Manila Avenue application should be considered a Minor Subdivision, Mr. Proft stated that the subdivision regulations states that *"all development of under six residential lots including the development of existing paper streets shall be considered a Minor Subdivision regardless of whether a new lot is adjusted or created for development."* Mr. Proft stated that this is exactly what the Manila Avenue project is. He spoke to the City Solicitor about the application and was told that this is clearly a Minor Subdivision and should be handled as such.

Mr. Proft stated that this particular project is frustrating because we became aware of it at the last minute, but in general he has concerns about these paper streets coming before the Planning Board in every situation. He stated that apparently in the past the City has not been reviewing paper road developments as a Minor Subdivisions, but the regulations are clear that they should be.

Mr. Proft read several issues for the board to keep in mind during this discussion:

1. Paper Roads were previously approved by the City, so requiring additional review to develop them puts the same plan through two reviews. This redundancy may not be a good use of the City's resources.

2. Many paper roads were created decades ago (Manila Ave was platted in 1899), so the rights-of-way do not conform to current Subdivision Requirements and, therefore, require waivers from the Planning Board. As a result, the developments of many paper roads will be required to go through a Major Subdivision Review process, not Minor Subdivision Review, even if the proposed project is small and logical.

3. Paper road extensions that end in dead ends are required to include a cul-de-sac if the total street length (not just the extension) is greater than 150 feet. Such a requirement is impossible to meet without cutting into the land of adjacent property owners in many circumstances (e.g. Manila Ave). In said situations, the Planning Board may grant a waiver to the Subdivision Regulations, but the applicant is also required to get a variance from the RI Fire Safety Board or Review for not meeting the fire code, creating an additional delay and cost to the applicant.

4. The Manila Ave Extension subdivision took a significant amount of my time over the past two weeks, all so a road that everyone agrees should be allowed to be extended 160 feet to provide street frontage to existing properties could be built. The process felt like red tape from the start.

Mr. Proft stated that he has asked the City's land use solicitor, Peter Wasylyk, to determine whether the language requiring review of the development of paper roads is a State or City requirements. If it is a City requirement, the Planning Board has the power to change the subdivision regulations to address this issue.

Mr. Proft recommended: (1) Eliminate the requirement for the Planning Board to review paper road developments entirely, leaving the review to the City's Engineering Division. This appears to be the way we have been handling this up to this point (despite the regulations requiring otherwise; or (2) Eliminate the requirement for the Planning Board to review paper road developments and instead require paper roads to undergo design review. This option would give the board the opportunity to request sidewalks, street trees, appropriate curbing, etc., but would not require public notice or a three-phase major subdivision review process.

Chairman Finlay recommended that we keep as is; and keep 200 ft. limited area of notices. The opportunity for the public to be made aware of impending road development and state their concerns is important.

v. RIDOT Planning meeting update

\_\_\_\_ Mr. Proft stated that he has not had time to compile his notes. He stated that generally they talked about current and future projects; he already gave an update on the Bike Path. He will give a better update at next month's meeting.

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Letter of Resignation from Stephen R. Crisafulli

Chairman Finlay read Member Crisafulli's letter of resignation, effective immediately. Member Crisafulli apologize for any inconvenience his resignation might cause the City in the short-term but noted that it has been a pleasure to serve the City over the past four years. The board thanked Member Crisafulli for his dedicated service to the board, and wished him well in his future endeavors

Administrative Officer's Report

Mr. Proft stated that he decided to abandon the 2019 Capital Improvement Plan, it's past its usefulness for this year, trying to get it done is just not a good use of his time. So with the board's permission he will concentrate on the 2020 CIP.

Mr. Proft stated that he will submit a draft of the Solar Energy Ordinance to the board for review next month. He stated that he's finally satisfied with the ordinance, and had it reviewed by the Zoning Official and Steven Lima.

Mr. Proft stated that he drafted an RFP for a qualified environmental professional regarding the Brownfield Grant. This consultant will help us implement the \$300,000 EPA grant to do Phase I and Phase II site assessments at various locations, but mainly 719 River Street.

Mr. Proft reminded Chairman Finlay that he needs to complete his floodplain training.

Mr. Proft stated that he wrote to the Public Works Director regarding Cass Park Master Plan, specifically the foul territory issues that Member Crisafulli brought up during the last board meeting. He noted that Mr. D'Agostino didn't respond to his correspondence, but we do have foul poles at the field now. In terms of the conflicting plans (2015 vs. 2017), he mentioned this to Steven Lima, Mr. Lima was under the impression that the 2015 version is the plan that the City's working with, and was unaware of the 2017 version. Mr. Proft stated that he asked Mr. Lima if he could meet with the Public Works Director and the Mayor to determine which version is the official plan. Mr. Lima stated that he would like to discuss the issue first with the Mayor and then proceed to a wider meeting. Mr. Proft stated that he would follow up on this with Mr. Lima.

Mr. Proft stated that he drafted a Management Plan for the Holley Springs property that's now being reviewed by DEM. He noted that DEM's review is a required step in the process of converting the site to a conservation area.

Next Meeting

The next board meeting is Tuesday, October 1, 2019 in Harris Hall @ 6:00 P.M.

Adjournment

MOTION by Secretary Crisafulli, seconded by Vice-Chairman Eappen to adjourn. The MOTION carried, the meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Pauline Washington  
Recording Secretary