

City of Woonsocket, RI

Planning Board Meeting Minutes

Date/Time: Tuesday, May 11, 2021 | 6:00PM

Location: Teleconference via Zoom, Meeting ID: 865 3785 4496

I. Call to Order:

Chairman Finlay called the Special Meeting to order at 6:02 PM.

II. Attendance Review:

Members in Attendance:

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

Others in Attendance:

1. Kevin Proft, Administrative Officer
2. Theresa Dunigan, Recording Secretary
3. Amy Goins, Ursillo, Teitz & Ritch, LLC
4. Andrew Teitz, Ursillo, Teitz & Ritch, LLC
5. Hammad Graham, Brisa Development, LLC
6. Kevin Flynn, Land Use Consultant
7. Douglas Brown, DBVW Architects
8. Kristin Gelnett, DBVW Architects
9. Alan Hanscom, Environmental Engineer
10. Kim Smith Barnett, Historic Consultant, MacRostie Historic Advisors, LLC
11. Bill Coyle, Real Estate Consultants
12. Victoria Howland, Engineer, Pare Corporation
13. Donald Cournoyer
14. Stephen Crisafulli

III. Remote Meeting Announcement:

The chairman reviewed the Remote Meeting Announcement:

General Proceedings

- A. Each agenda item will be read in-full to ensure it is clear what matter is before the board.
- B. Members should request permission to speak from the Chair prior to speaking. The Chair should recognize the Member by name.
- C. Members will identify themselves each time before they speak.
- D. 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.

- IV. Vote on Motion to Continue Advertised Agenda Items to the regularly scheduled Planning Board meeting on June 1, 2021 in the case of technical difficulties with the remote meeting.

Motion to CONTINUE ADVERTISED AGENDA ITEMS TO THE JUNE 1, 2021 MEETING in the case of technical difficulties: Secretary Miller

Second: Vice-Chairman Eappen

Discussion:

Vote:

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

Motion Passed 5-0-0

- V. Correction/Approval of Minutes:
None.

VI. Meeting Business:

- A. *INFORMATIONAL MEETING – Major Land Development – Master Plan Review | Applicant: Brisa Development LLC | Owner: MCU Commercial Services, LLC | Project Location: 0, 115, and 119 Front Street (Lots 15-16, 61, & 221) – 420 feet from the intersection of Bernon Street and Front Street | Project Description: The applicant is seeking Master Plan review and approval of a Major Land Development. The project will subdivide the existing three parcels into four parcels. The project includes the redevelopment of the existing stone mill buildings as residential units, the redevelopment of the existing two-story brick building as commercial space, and the redevelopment of the existing commercial unit front the Court Street Bridge as commercial space. The project proposes the construction*

of a new, accessory recreation facility between the existing stone mills. The project may require waivers from the subdivision regulations. If the project is approved, it will require relief from the Zoning Ordinance. The Planning Board may vote on a motion to approve the Master Plan at this meeting.

Amy Goins of Ursillo, Teitz & Ritch, LLC, representing Brisa Development LLC , introduced the team to the Board and provided an outline of the presentation.

Hammad Graham of Brisa Development LLC spoke to the Board about Brisa Development LLC's interest in the project, similar projects in the region, and its vision for Bernon Mills. He described a "smart density" approach, bringing new residents to the city within the Mill Buildings, while also providing several amenities onsite to help reduce overall car traffic. He noted the carriage building could provide "micro-commercial" activity including a neighborhood supermarket and micro-office spaces. For the smaller cobbler building, he described a one tenant use for the 750 ft² available commercial space. Mr. Graham also explained the proposed construction of a new multi-sport recreation facility for tenant use only. Mr. Graham voiced concerns regarding the deteriorating unused Mill Buildings. He stated that the team wants to save the buildings but that time is of the essence.

Kim Smith Barnett, a historic consultant at MacRostie Historic Advisors, provided expert testimony regarding the history of the site and individual buildings.

Doug Brown of DBVW Architects provided an introduction and overview of the architectural firm. Kristin Gelnett of DBVW provided expert testimony as the Architect for the Bernon Mills project. Ms. Gelnett reviewed the plans and renderings of the proposed development and explained where water was intruding into the buildings. She also showed the historic structures previously located in the location of the proposed multi-sport facility.

Victoria Howland an engineer with Pare Corporation, provided expert testimony as the Senior Project Engineer.

Alan Hanscom provided expert testimony as the Environmental Engineer. He presented on onsite soil contamination.

Kevin Flynn, a land use consultant, provided expert testimony. Mr. Flynn explained how the proposed project is consistent with the Comprehensive Plan and why the zoning relief necessary is appropriate.

Bill Coyle provided expert testimony as real estate consultant.

Attorney Goins ended the presentation and asked for questions.

Chairman Finlay opened the floor to Public Comment.

Mr. Stephan Crisafulli, 99 Allens Street, said he fully supports the proposed development.

Mr. Donald Cournoyer, 99 Front Street, said he supports the redevelopment project. He expressed a concern regarding access to the Bernon Mills property relating to his commercial property at 99 Front Street.

Chairman Finlay closed the floor to Public Comment. He asked for the team to address the right of way mentioned by Mr. Cournoyer. Ms. Howland said the project surveyor will be providing an official updated survey later in the week which should resolve questions like the one raised by Mr. Cournoyer. Mr. Cournoyer indicated the location on one of the provided maps.

Chairman Finlay then opened the floor to comments and questions from the Board.

Secretary Miller noted that he supported the plan and that he looks forward to the completion of the project.

Vice-Chairman Eappen agreed with Secretary Miller. His primary concerns regarding flooding and sloping were addressed in detail during the presentation.

Member Gardner said he was excited by the presentation and the proposed project.

Member Pratt stated it seemed like an ambitious project and a very good use of the facility. He said that the Engineering Division will need to work with the applicant prior to Preliminary and Final Plan approval on issues like utilities and drainage.

Chairman Finlay asked for a tentative construction schedule. Mr. Graham estimated he thought it could be completed in two years.

Chairman Finlay asked for information regarding the floor of the recreational facility. Mr. Brown said it is too early to have a detailed answer. He said there will be some sort of structural framing below a typical gym “multi-sport” floor. The floor will need to be elevated above the floodplain. He said there will be more detailed information at the Preliminary Plan stage.

Mr. Kevin Proft said he had been in close communication with the development team leading up to the meeting and his comments had been adequately addressed. He noted that he had provided comments to the development team and that many of the comments will not be addressed until the Preliminary Plan stage, which is appropriate at the Master Plan stage.

Mr. Proft reviewed the staff report provided to the Board, including his conclusion that the plan conforms with the comprehensive plan and the subdivision regulations. He noted that the Engineering Division will need to work with the applicant on utilities, drainage, and access easements prior to preliminary plan review. He noted that the Fire Department has identified a location where truck access is limited. He said the applicant has agreed to work with the Fire Department to address its concerns.

He noted that the project will require various State and Federal permits. He suggested requiring them prior to Final Plan approval rather than Preliminary Plan approval in order to allow the review and approval process to move forward more smoothly, noting that this allowance may require a waiver from the subdivision regulations at the Preliminary Plan stage.

Chairman Finlay stated he had confidence in this project and the assembled team. He read the Findings of Fact & Decision including the following Conditions of Approval:

1. The applicant shall obtain all necessary zoning relief prior to Preliminary Plan review by the Planning Board.
2. The applicant shall coordinate with the Engineering Division to ensure utilities, drainage, and site access are acceptable to the City prior to Preliminary Plan approval.
3. The applicant shall coordinate with the Fire Marshal's office to ensure internal circulation accommodates the necessary Fire Department vehicles prior to Preliminary Plan approval.
4. The applicant shall obtain and submit all required State and Federal permits to the Administrative Officer prior to Final Plan approval.

MOTION TO APPROVE THE MAJOR SUBDIVISION MASTER PLAN with conditions: Member Gardner

Second: Vice-Chairman Eappen

Discussion:

Vote:

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

Motion Passed 5-0-0

Attorney Goins thanked the Board for its time.

- B. *Capital Improvement Program* | The Planning Board shall review a draft Capital Improvement Program developed by the Administrative Officer with input from City Departments. The Planning Board may vote to approve the Capital Improvement Program and send the document to the Mayor and City Council per Chapter 10, Article 6 of the City's Charter.

Chairman Finlay and Mr. Proft explained that due to the City's limited financial resources, not all project's proposed in the Capital Budget will be able to be completed. The intent of the document is to provide decisionmakers like the Mayor and City Council with a prioritized list of capital projects to better inform the budgeting process.

MOTION TO APPROVE AND ADOPT THE DOCUMENT: Secretary Miller

Second: Member Gardner

Discussion:

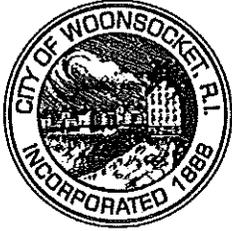
Vote:

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

Motion Passed 5-0-0

Addendum

Bernon Mills Findings of Fact & Decision



City of Woonsocket, RI

Planning Board: Findings of Fact & Decision

May 11, 2021

I. Applicant

Applicant's Name: Brisa Development, LLC
Applicant's Address: 2009 Flatbush Ave, Brooklyn, NY 11234
Property Owner's Name: MCU Commercial Services, LLC
Property Owner's Address: 50 Main Street, Millbury, MA 01527
Designated Representative: Andy Teitz & Amy Goins, Ursillo, Teitz & Ritch, Ltd.

II. Property

Assessor's Plat(s): Lot 15-16, 61 & 221
Address(es)/Location(s): 115, 119 & 0 Front Street
Zoning Designation: MU-1 (mixed-use residential/commercial)
Engineer: Pare Corporation
8 Blackstone Valley Place, Lincoln, RI 02865
(401) 334-4100

III. Application

Type: Major Subdivision
Review Stage: Master Plan Review
Proposed Development Type: Subdivision, Redevelopment, New Construction
Description: Subdivide lot 15-16 into two lots so the "carriage house" is on a separate lot. Redevelop existing mill structures as residential units. Redevelop existing carriage house and cobbler buildings as commercial. Construct a ~90' x 45' multi-sport recreation facility.
Plan Title: Bernon Mills Redevelopment...
Plan Date: April 12, 2021 | revised: May 5, 2021

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 § 40 of the Rhode Island General Laws (R.I.G.L.), entitled *The Land Development*

and Subdivision Review Enabling Act of 1992: General provisions – Major land development and major subdivision – Master Plan.

V. Exhibits

The following exhibits were used to inform the decision of the Planning Board: Subdivision Application (received: April 12, 2021), applicant's narrative (April 12, 2021), Subdivision Plan (revised: May 5, 2021), staff comments & applicant responses (April 30, 2021), Administrative Officer's staff report (May 7, 2021), Draft Findings of Fact & Decision (May 11, 2021).

VI. Findings of Fact

Pursuant to such hearing and testimony by appropriate representatives of the landowner and/or proposed developer and interested others, including statements 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, “encourage the construction of workforce housing for middle-income residents” (Housing Policy H-1.1. See also LU-3.1 & 3.2). The proposed development will be largely made up of workforce housing geared towards middle-income earners.
 - b. The Comprehensive Plan states that the City should, “support residential conversion of select underutilized former mill building that are no longer practicable for commercial or industrial use” (Housing Policy H-1.4. See also NCR 1.4 & LU-4.2). The Bernon Mills have failed to attract a commercial or industrial tenant and is in a prime location for residential conversion given its location near Main Street.
 - c. The Comprehensive Plan states that the City should, “grow Woonsocket’s economy in a balanced and beneficial manner,” in part, by, “attracting new businesses to the city” (Economic Development Goal & Policy ED-2.1). The project would include a mix of new, high-quality retail and office space.
 - d. The Comprehensive Plan states that the City should, “support Woonsocket’s Main Street as an economic heart of the city,” in part, by, “encouraging and guiding new economic activities to the city’s historic Main Street area” (Economic Development Goal & Policy ED-5.1). The proposed development will create quality retail and office space within the Main Street Overlay District and will improve underlying conditions for existing and future Main Street businesses by concentrating residents – i.e. potential customers – in the downtown area.

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 project proposes more units than are allowed by the subject parcels' land area and street frontage per Sections 9.1-1, 9.1-4 & 15.5-4.1(a) of the Zoning Ordinance.
 - b. The applicant is requesting relief from Section 9.1-8 of the Zoning Ordinance which prohibits multiple primary structures on a lot. In the opinion of the Administrative Officer & Zoning Official, this relief is not required. There are currently two primary structures on the property (the Cobbler Building and Mill 1 & 4), but this nonconformity predates the prohibition on multiple primary structures on a lot. The applicant is proposing the construction of a new accessory structure (multi-sport recreation facility), but because this is an accessory structure, not a primary structure, it does not conflict with section 9.1-8 of the Zoning Ordinance.
 - c. The project proposes residential units below street level, which is disallowed by section 12.5-4.1(b) of the Zoning Ordinance.
 - d. The applicant shall obtain all required zoning relief from the Zoning Board prior to Preliminary Plan review by the Planning Board.

3. That there will be no significant negative environmental impacts from the proposed subdivision's development.
 - a. The proposed project is partially located within the 100-year flood zone.
 - i. No units within the existing Mill 1 will be located below the flood zone.
 - ii. The floor of the accessory structure will be elevated above the flood zone. The area below the structure will remain open, or enclosed by breakaway walls, to preserve the existing floodplain.
 - b. The proposed project is located within the 200-foot riverbank setback. Therefore, the project requires review and approval from RIDEM. All required State and Federal permits shall be provided to the Administrative Officer prior to Final Plan approval.
 - c. The proposed project is located on a property with an environmental cap that prevents site contamination from spreading to new soil or groundwater. Therefore, the project requires review and approval from RIDEM. All required State and Federal permits shall be provided to the Administrative Officer prior to Final Plan approval.
 - d. The proposed project will increase on-site impervious surface. The applicant has proposed managing runoff from new impervious surface per local and State regulations, and has agreed to determine if some existing runoff can be better managed prior to being discharged into the adjacent river.
 - e. The proposed project will incorporate erosion control into the construction and post-construction phase of the project per local and State regulations.
 - f. The proposed project does not impact any known wetlands.

4. That the proposed subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impractical.
 - a. The proposed project meets or will secure waivers from the requirements of the Zoning Ordinance.
 - b. The proposed subdivision plan meets the requirements of the Subdivision Regulations.
 - c. The applicant has agreed to work with the Engineering Division to ensure utilities, drainage, and access to the site meet City standards, prior to Preliminary Plan Review.
 - d. The applicant has agreed to work with the Fire Marshal's Office to ensure site design will accommodate the City's fire apparatus, prior to Preliminary Plan Review.
 - e. The applicant shall secure all required State permits relating to construction in the 100-year flood zone and on a property with an environmental cap prior to Final Plan review.

5. That the proposed land development and lots will have adequate and permanent physical access to a public street.
 - a. Lots 15-16a, 15-16b and 15-221 will have adequate and permanent physical access to Front Street.
 - b. Access easements shall be submitted to the Administrative Officer that ensure adequate and permanent physical access from Lot 15-61 to Front Street prior to Preliminary Plan review.

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 applicant shall ensure no negative environmental or flooding impacts result from the redevelopment and new construction on the lots as discussed in Finding of Fact 3 above.
 - ii. The redevelopment of the existing structures will eliminate blighted properties that attract undesirable behavior such as vandalism and trespassing.
 - iii. The redevelopment of the site will result in new workforce housing and improve economic conditions in the downtown area.
 - 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 received on April 12, 2021, certified complete on May 6, 2021, and reviewed by the Planning Board at a properly advertised and noticed special meeting on May 11, 2021.
 - c. That the project exhibits high-quality and appropriate design.
 - i. The applicant has agreed to work with the Engineering Division to ensure utilities, drainage, and access to the site meet City standards, prior to Preliminary Plan Review.

- ii. The applicant has agreed to work with the Fire Marshal's Office to ensure site design will accommodate the City's fire apparatus, prior to Preliminary Plan Review.
- iii. The applicant shall undergo design review by the Woonsocket Design Review Commission concurrent with Preliminary Plan review by the Planning Board.
- iv. The applicant shall secure all required State permits relating to construction in the 100-year flood zone and construction on a site with an environmental cap prior to Final Plan approval.
- v. The applicant shall secure all State and Federal permits relating to historic preservation prior to Final Plan approval.
- d. That the project protects existing natural features and the built environment.
 - i. See Finding of Fact 3 above.
- e. That the project is well integrated with the surrounding neighborhoods with regard to natural and built features and concentrates development in areas which can best support intensive use by reason of natural characteristics and existing infrastructure.
 - i. The proposed project is in an area already served by utilities and roads. The applicant shall work with the Engineering Division to confirm that available utilities are sufficient to serve the proposed number of units associated with the project.
 - ii. The proposed project will improve conditions in the surrounding neighborhood by reactivating vacant buildings, while maintaining their historic character.
- 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 or will comply with the regulations prior to Final Plan approval.
 - ii. The applicant has agreed to work with the Engineering Division to ensure utilities, drainage, and access to the site meet City standards, prior to Preliminary Plan Review.
- g. That the project underwent thorough technical review by appropriate local officials.
 - i. The applicant participated in two Preapplication Meetings with staff from the Mayor's Office, the DPW and Engineering Division, the Planning Department, the Police Department, and the Fire Department.
 - ii. The master plan application was reviewed by the Planning Division, Zoning Division, Fire Marshal's Office, and Engineering Division.
- h. That the dedication of public land was deemed not applicable.
 - i. There is 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. The parcel was current in the payment of real estate taxes as of May 11, 2021 as certified by the City Treasury of the City of Woonsocket.

VII. Conditions of Approval

- 1. The applicant shall obtain all necessary zoning relief prior to Preliminary Plan review by the Planning Board.
- 2. The applicant shall coordinate with the Engineering Division to ensure utilities, drainage, and site access are acceptable to the City prior to Preliminary Plan approval.
- 3. The applicant shall coordinate with the Fire Marshal's office to ensure internal circulation accommodates the necessary Fire Department vehicles prior to Preliminary Plan approval.
- 4. The applicant shall obtain and submit all required State and Federal permits to the Administrative Officer prior to Final Plan approval.
- 5. The applicant shall undergo design and river corridor review concurrent with Preliminary Plan review.

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 Eappen that the Major Subdivision Master Plan proposed by Brisa Development, LLC of 2009 Flatbush Ave, Brooklyn, NY 11234 for property located at 115, 119 & 0 Front Street (Lots 15-16, 61 & 221) 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

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 6.2.3 of the City's Subdivision Regulations, the approved master plan shall be vested for a period of two (2) years. Vesting may be extended for two (2), one-year extensions upon written request by the applicant, who must appear before the planning board for the annual review. 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.

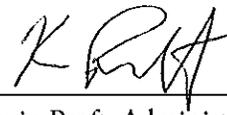
XI. Certification

This is to certify that these Findings of Facts & Decision reflect the action of the Woonsocket Planning Board at a special meeting on May 11, 2021, 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 May 18, 2021 TIME 02:22:19P
Christina Harmon, CITY CLERK