

East Greenwich Planning Board
Wednesday February 5, 2020
Town Council Chambers - Town Hall
125 Main Street
7:00 P.M.

Present: Eric Jautaikis, Nate Ginsburg, Kevin Murphy, Ben Lupovitz
Absent: Jason Gomez, Chris Pels
Staff: Lisa Bourbonnais, Town Planner; Aaron Lindo, Planning Technician; Mike Ursillo, Solicitor

Mr. Ginsburg opened the meeting at 7:07 PM and introduced those present.

- 1) **Preliminary Plan** review of a 12-unit residential Major Land Development proposed by Grenier Properties, LLC. Location is **32 Exchange Street**, being Assessor's Map 085, Plat 001, Lots 087 and 382. Property is owned by Grenier Properties, LLC and is roughly 0.47 acres in size. Zoning is R-6, high density residential. Greater than 25% of proposed units will be "affordable" so the project can proceed as a **Comprehensive Permit** with expedited review. Preliminary Plan public hearing continued from January 15, 2020.

Attorney John Kupa represented the application. Mr. Kupa commented that there are a couple of more things to present from the last meeting, including underground utilities and concerns about trace elements that are commonly found in soils.

Jonathan Ford, the project's civil engineer, was sworn. He went through a quick orientation of the project to address concerns raised by Mr. Conboy from the January 9th DPW memo. Some of the questions raised by DPW had to do with utilities being directed to the rear building and how it would affect the storm water recharge system with adequate separation. In the revised utility plan the site drainage has not changed. The reconfiguration provides separation from the sewer line as requested. It pulls the utilities further from the northern property line. There are a number of advantages in the arrangement and the applicant feels like they have addressed the concern.

For the 16 items in the memo, the applicant feels they have been addressed. Noting the snow storage, the entry driveway can be widened easily from 18 feet to 20 feet but the applicant would prefer not to do so for a number of reasons.

Mr. Lupovitz asked Ms. Bourbonnais if she was satisfied with the response. She commented that the Town's position is that the driveway opening should be 20 feet, not 18, but everything else is okay. The opening width is up to the Board. Mr. Ginsburg added that it is clear that the Town would like a revised driveway with a 20 foot opening.

Mr. Murphy asked about the environmental issue with the driveway. Mr. Ford replied that the additional impervious area provides for more runoff that has to be managed. It is a small impact but every square foot counts. The catch basin system will accommodate runoff if the driveway is 18 feet or 20 feet.

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Gary Kaufman, the environmental expert for the project, was sworn. Mr. Kaufman commented that he is present to clarify some of the testimony from the last meeting in reference to trace elements. To recap, he added that lead has been identified in the soil above the regulation standard of 150 mg/kg. In one location there is 424 mg/kg and 197 mg/kg in another. The lead needs to be remediated in a way that humans cannot get to it. The plan is to remove the top 2 feet of the soil and replace it with clean soil. It has been done on many sites throughout the state.

A question came up asking if lead was the only element that showed up in the testing. Mr. Kaufman commented that there are always trace elements and referred to the metals page in the June 2019 report. For example, arsenic is found in almost every site. In many cases, it is above 7 mg/kg. In this case it is in the 2.5 mg/kg range. All of the trace elements are likely natural. To summarize, Mr. Kaufman commented that yes, there are other elements in the soil. The only element that needs to be dealt with is the lead based on the regulatory standards.

Mr. Lupovitz asked what the threshold was and where the level lies on the scale of extremity. Mr. Kaufman replied that the threshold is 150 mg/kg. In a commercial setting, the threshold would be much higher.

Mr. Jautaikis asked if the remediation would occur over the entire location or just the specific areas. Mr. Kaufman replied that because there are 2 samples, it is easier to remediate the whole site. Regarding sampling after 2 feet, the soil below 2 feet is jurisdictionally allowed to remain on the site. At the end of this project there will be an environmental land use restriction (ELUR) that will restrict the property to certain things. There can be no digging past 2 feet and DEM would have to give permission to do so. There will also be a soil management plan outlining how one can dig on the site, where the soil can or cannot go, etc. The home owners association will know that there is an ELUR on the property. The soil management plan will be approved by DEM and a yearly report will be conducted. If there are emergency situations, DEM would be notified afterwards. By law, the ELUR must be disclosed.

Public Comment – 31:22 time stamp

For a complete record of the public comment, a recording is available from the Planning Department.

Aimee Heru, 32 Exchange Street – 31:47 timestamp

Donald Powers, Principal of Union Studios – 44:38 timestamp

James Gorham, 118 Duke Street – 63:45 timestamp

Public comment close at 98:27 timestamp.

A motion was made to accept the draft motion as written by Mr. Ginsburg. Mr. Murphy seconded the motion. Mr. Jautaikis made a motion to amend the proposed motion to add to condition number 8, a more detailed review at the final plan review of the asbestos abatement process of the existing building.

VOTE: 4-0 in favor of the motion.

- 2) **Pre-application** review of a Major Commercial Land Development proposed by JP Morgan Chase. Location is **1050 Division Street** (corner of Division and Route 2 – involving a portion of the East Greenwich Square commercial plaza). Site is known as Assessor’s Map 081, Plat 010, Lot 006. Property is owned by East Greenwich Square, LLC and is zoned CH, Commercial Highway. Site is greater than 19 acres in total but proposed physical alterations will only affect a small portion of the property. Project involves demolition of an existing restaurant with new construction of a branch bank with remote ATM.

Alan Roscoe, from Core States Group, represented the application. The project is a redevelopment of an existing pad site. His company is working on all new Chase Banks in New England. There are 6 new banks being built in Rhode Island and the surround region. The project will consist of a teardown of the existing building where there was a restaurant use. The pad site is approximately 3,500 sq. ft. The impacts of the bank use are very minimal with very similar pavement grades. The building will take advantage of existing sewer, gas, and water lines. From the existing use, the proposed use will be a reduction of wastewater and less water demand in general. It is a very favorable kind of development. The parking will remain largely unchanged. There will be an added feature of a remote standalone atm.

The project meets code in regard to signage and lighting but will need approval from the Zoning Board for the drive through use. There is shared parking between the remote ATM location and the bank and the overall parking count is unchanged. It is expected that most people will utilize the parking spaces closest to the bank. The foot print of the building will be 500 feet which is small than the existing building footprint. Both sides of the building look like the front of the building.

Mr. Jautaikis asked about the curbing of the parking area and if it will prohibit snow removal. Mr. Roscoe replied that he would check with the landlord about the snow storage. Mr. Jautaikis followed up, asking if there are any restrictions for having another bank in the plaza. Ms. Bourbonnais commented that the pad site is approved. The area is not increasing so it is not a big deal. The pad site is defined as an area bigger than the proposed site. The site is also slightly over parked and the change does not have a big impact. The applicant has some leeway in regards to parking.

Feedback:

Mr. Jautaikis commented that he would like to make sure there are no objections from other banks but added that competition is good.

Mr. Murphy commented that he liked the project and that it is a good place for a bank branch. He looks forward to seeing other iterations and more detail.

Mr. Lupovitz had no objections to the project.

Mr. Ginsburg commented that he appreciated the elevations and opined that it made sense the building stands out among other buildings on site. His concern was building lighting.

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Mr. Roscoe replied that the lighting can be adjusted. Advertising never stops and if there are no limitations, some of the lights will stay on. Mr. Ginsburg replied that the Zoning Board will give limitations on lighting and signs. He added that the applicant might want to look at the islands and make sure it is all plowable.

3) Minutes: The Board is asked to review and approve minutes of the 12/4/19 meeting.

The minutes were continued until the next meeting.

Mr. Jautaikis made a motion to adjourn. Meeting adjourned at 9:21 PM

Minutes respectfully submitted by Aaron Lindo, Planning Technician.

For further information, please refer to the recording available in the Planning Department.