

Planning Board Minutes
July 16, 2014 - 7:00 P.M.
Town Council Chambers
125 Main Street
East Greenwich, RI

Members Present: Stephen Brusini, Chair; Bill Stone; John Ayotte; Michael Donegan; Jason Gomez; and Chris Russo.

Members Absent: Chuck Newton, Vice-Chair.

Staff Present: Lisa Bourbonnais, Planning Director; Joseph Duarte, Public Works Director; Raymond Pezzullo P.E., Assistant Town Engineer; Juliana M. (Berry) King, Planning Technician; and Sarah Jette, Legal Counsel.

Mr. Brusini called the meeting to order at 7:06 p.m. and introduced the members and staff present.

1. Public Hearing for Hazard Mitigation Plan update.

Ms. Bourbonnais introduced the subject by noting that the Plan requires an update every 5 years, and the Town had grant money to hire a contractor to help this year. The update is almost finished, but part of the process is a hearing to encapsulate the changes and solicit public input.

Peter Cusolito, of VHB and experienced in emergency management and planning, explained that the mitigation plan differs from the rest of the emergency management field in that it strategically looks at long-term solutions, out to twenty years. It is designed to include the public as well as private entities in the process; it's important to assess economic impacts especially because almost half of all businesses that close after a natural disaster never reopen. The Plan requires approval from state and regional FEMA headquarters so it is always well vetted.

Hazard modeling was run and the good news is that it's hard to flood out East Greenwich (even though stormwater can't be accounted for). Actions

listed under each vulnerable area in the Plan have to tie back to individual goals, and those goals must in turn tie back to the Comprehensive Plan or a similar strategic plan. Mr. Cusolito itemized the actions from the last update and their current status. Mr. Cusolito also detailed the 8 vulnerable areas, and their associated actions totaling 20 along with a few extra new ones, including priority, cost, timeframe, benefit, responsibility, and pre or post disaster.

Mr. Stone inquired as to the downside of burying electrical lines besides the cost, and Mr. Cusolito remarked that flooding is an issue though it is a tradeoff from the impact of wind on traditional lines. Mr. Donegan sought and received confirmation from Mr. Cusolito that a town can still be eligible for post-disaster relief even if the event was not identified prior, as long as the Plan is approved and adopted locally.

With nothing further from the Board, Mr. Brusini opened the hearing to the public.

Gene Dumas, of 50 Montrose Street, wondered if high tides and moon phases were factored into the hurricane modeling. Mr. Cusolito responded in the negative but stressed that modeling is not exact; rather, it aims for the worst-case scenario.

Marguerite Barry, of 333 Kenyon Avenue, stated that the cement bridge on Kenyon spanning the Maskerchugg is in disrepair and the culvert underneath isn't big enough. The resulting hazard is such that the bridge should be considered for replacement. A grist mill dam is nearby and Ms. Barry and her neighbors have been maintaining it at their own expense.

With no one present to further comment, Mr. Brusini closed the public portion.

- 3. Pre-Application of applicant William J. Ross and owner Thomas P. Hegburg for "William J. Ross Inc. Headquarters", consisting of an industrial building with 6,000 square feet of gross floor area, located on a land-locked residential vacant parcel, being Map 67 A.P. 13 Lot 34 on 6.0065 acres in a Farm F-2 district. (Comprehensive Plan and Zoning amendments will be required.)**

K. Joseph Shekarchi, attorney for the applicant, recalled that an additional user was originally proposed but the abutting property owner had an objection; the plan is now pared down to one building with one commercial use at the associated tax rate, providing jobs but no school-age children, and with self-contained infrastructure and minimal need for police or fire. The facility would simply house the applicant's trucks and construction material but not be open to the public.

The parcel is landlocked and there are two potential access points- an abandoned paper street or the cleaner route across the adjacent RIDOT land in West Greenwich to New London Turnpike. Consultations are ongoing with DOT (Mr. Shekarchi passed around the latest letter from the state dated July 14, 2014), and the project is just not viable without a negotiated agreement with the state for access.

The applicant recognizes the need for a zone change and Comp Plan amendment plus the regular planning approval stages but desired to provide an overview. Mr. Shekarchi mentioned that Mr. Ross is in a Purchase & Sales to purchase the property from Mr. Hegburg. All of the internal hurdles at DOT have been passed and there is hope to conclude by Labor Day or Columbus Day in order to gain final approvals before Christmas and break ground in the new year.

Mr. Ayotte asked if there was any indication that sight distance along New London will be a problem, and Mr. Shekarchi answered that DOT will actually have restrictions on the street opening width and its exact location once an easement or acquisition is finalized. Mr. Brusini was curious how the owner planned to address the issue of storing loam and other material outside when it's windy, and Mr. Ross said that topography and vegetation is utilized to screen from the elements. Enclosures can be added for some and it was briefly discussed with DOT because the property is so close to Route 95. Mr. Shekarchi added that there have been talks with many abutters and they have no objections to the layout.

Mr. Donegan sought to understand how this petition could substitute for the affordable housing called out in the Comp Plan for this section of Town and

what the Planning Board's role in it would be. Ms. Bourbonnais replied that the Comp Plan included the land in question as part of the Northwest Quadrant strategy allow for increased residential density and incentivize affordable housing. Other strategies across Town could absorb the lost 7-9 units but language would be needed to reflect that in Housing and the FLUM changed too. If the Board finds the proposal favorable tonight then the applicant must apply for the changes, at which point the Board would review the submission and forward to the Council. Once formally adopted by the Council it becomes locally enforceable and a zone change could then be sought, although the amendment must still pass muster with the state. A recommendation on a zone change would go along with a Master Plan decision.

Ms. Bourbonnais further noted that the parcel in question is less than 10% of the NW Quadrant so there isn't a pressing need to specify an actual site alternative for those lost units. Ed Pimental, urban planner for the applicant, expressed that any other strategy in Housing that achieved greater than the medium range of anticipated affordable housing units would make up for the loss.

The Board remembered Mr. Pimental from previous years and qualified him as an expert.

Mr. Stone was still unclear how the Comp Plan amendment could be dealt with, and discussed with Ms. Bourbonnais the possibility of augmenting the definition of "mixed use" to include the proposed type. Ms. Bourbonnais cautioned that there could be pushback from RI Housing as they were hesitant on the ranges anyway, although Statewide Planning's initial response was that all of Housing wouldn't have to be revisited. The land by itself is unattractive for residential- it is landlocked and adjacent to the highway though without direct access to it- and so if any piece could be carved out of the NW Quadrant justifiably this would be it.

Mr. Brusini opened the petition to public comment but there was none.

Mr. Ayotte liked the proposed use of the land and was of the opinion that any necessary Comp Plan amendment seems minor. Mr. Donegan agreed, and was

confident that the experts could figure out a way and accomplish it. Mr. Stone admitted that at first he was skeptical with the affordable housing piece of it, but the testimony tonight convinced him that this is a better use than anticipated especially considering the proximity to the highway. Mr. Russo echoed Mr. Stone's sentiments. Mr. Gomez was in agreement and emphasized the appeal of businesses moving to Town and bringing jobs. Mr. Brusini likewise was in favor of the project in this locale and appreciated the extra efforts of applicant and staff.

Mr. Brusini recommended a site visit prior to Master and reiterated that the process will be complicated. Mr. Shekarchi voiced his preference for combining the Comp Plan amendment and zone change.

2. Preliminary Plan application of applicant and owner New England Institute of Technology c/o Phil Parsons and EG Land Company for “New England Institute of Technology”, to expand the existing campus located at One New England Tech Boulevard, being Map 80 AP 12 Lots 31, 76, 126, and 128 and Map 70 AP 12 Lots 15, 16, 75, 576, 577, and 578 on 205.7 acres in a Rocky Hill Fairgrounds RHF district.

Joseph DeAngelis, attorney for NEIT and on their Board of Trustees, provided the update that the roundabout seems to be a month ahead of schedule and the landscaping is underway. Ms. Bourbonnais confirmed that notification to the abutters was received.

Mr. DeAngelis noted that little has changed since the informational meeting with the Board a few months ago, with design build for residential facilities still scheduled to go out to bid in 2015 with hopeful completion in the fall of 2017; work to take place immediately is that under RIDEM approval, i.e. for moving of retention and detention basins and for the wetland crossings. Other work is to expand the existing building for additional dining. Mr. DeAngelis summed the last years starting with the 2010 Memorandum of Understanding with the Town followed by the 2011 zone change to RHF- 6 months later came the Master Plan approval and the only tweaks since then has been to the internal roadway circulation.

Alan Resnick, Vice President of Brailsford & Dunlavey, was sworn in and showed the same presentation as the informational meeting with a few slides added for clarity. Dennis DiPrete, engineer for the applicant, was sworn in and recalled that in 2008-2010 future plans were changing and dynamic and there was a lot of focus on traffic; from 2011 to today refinements were being made, details added, and obligations to various agencies and the public fulfilled. The 100 year vision is still the same, however.

Mr. DeAngelis assured the Board that notices were sent to neighbors for an open house last week and a similar presentation was made to them, per the May suggestion of the Board.

Mr. Resnick continued that the first phase includes a residential hall, expansion of the dining facility, and a landscaped walkway for the students between the two. Improvements will be made to the recreation fields along Division, but it is not clear what Phase II or III will consist of. There is 1,500 feet between the closest Taylor Pointe house and NEIT structure, and 800-900 feet between the closest Taylor Pointe house and NEIT parking with a thick foliage buffer in between.

Mr. Stone questioned why there was no sight line rendering for the Taylor Pointe abutters, and Mr. Resnick told him that it was because there is over 1,000 feet of trees in between. Ms. Bourbonnais clarified that the sight lines shown are only for Phase I buildings. Mr. Resnick remarked that the grade change helps screen the development too (NEIT is lower), and that the neighbors who attended the open house were shown the 100 year plan. Mr. DiPrete added that the Town Council imposed distance limitations in the zone change anyway and the proposal is not even up against those.

Mr. Gomez and Ms. Bourbonnais spoke of the 40-50 foot setbacks in general to the closest residences along Division, and Mr. DeAngelis recalled that 50 feet was added for the Taylor Pointe lots in the zone change. Mr. DeAngelis was aware that because of the medical office buildings abutter to the south of the campus there was a provision for shared access, and NEIT has reached out to them in the hopes of having an agreement before the next meeting.

Mr. Donegan requested that the public sign-in sheet from the open house versus the invitations be submitted.

Phil Parsons, general counsel for NEIT, was sworn in and stated that the biggest concern from those who showed to the open house, which lasted 1.5 hours and concluded with a tour of the school, was property values.

Mr. DeAngelis mentioned that a sewer study was provided to DPW on Monday but time is needed for review; the intent is to set up meetings with staff to discuss sewer flows. Mr. Duarte described the current sewer flows in the area, and pointed out that the largest parcel in East Greenwich with the greatest potential for flows is there at Route 2. There are no issues with capacity now, however.

Mr. DiPrete characterized the major Staff Report concerns as sewer, phasing and vested rights, and connection to the medical offices. The applicant's team will work with staff on items 1 and 2, but 3 is not in the first phase and the abutter would need to do work on their side of the property line but direct discussion is still being attempted. Mr. DeAngelis commented that the only change in traffic from Master is the roundabout.

Paul Bannon, president of RAB professional engineers, was sworn in and explained that the traffic study did encompass campus growth; infrastructure will accommodate Phase I expansion. Mr. DeAngelis added that there are less students today than there were 3 years ago at Master.

Mr. Brusini opened the hearing to the public.

David VanderPyl, of North Kingstown, was sworn in and introduced himself as President of the Rocky Hill Grange Association. Mr. VanderPyl described the problem with high speeds north up Route 2 from Frenchtown/Middle Roads and south off 95 past NE Tech Way. There is also an issue with the right hand turning lane into the medical offices just south of the Way. These complications lead to many accidents, near collisions, and chaos. The real issue with getting out of the Grange lot is trying to take a left on to Route 2 south, and since there is vacant land nearby the potential exists for even more businesses and resulting traffic conflicts. Mr. VanderPyle foresaw having to

talk with DOT about an increase in pedestrians (NEIT students) in the midst of the vehicular mess, especially to the plaza across Route 2 or to the medical offices.

Mr. Brusini thanked Mr. VanderPyle for his thoughtful and well-researched comments and perspective, and was confident that his concerns would be passed on to the appropriate entity.

Bob Vespia, of 155 Shippeetown Road, was sworn in and asked about campus police, another fire station to reduce response time to the campus, and how vehicles will access the west side of the greenway parking lot.

Mr. DeAngelis responded that the campus security force will grow and talks with the Town Manager have just started regarding a police presence. Limited access off of Route 2 and Division is eventually envisioned. The greenway will trigger additional parking, and since it is predominantly a commuter school it's important to put in place before construction. A fire station is still a possibility.

Mr. Brusini suspended, but did not close, the public hearing portion, and in addition to Mr. DiPrete's summarization of the Staff Report issues would also like to see more detailed KCWA comments.

Mr. DeAngelis clarified that the applicant is seeking approval for the quadrangle structures, all the drainage, and improvements to the recreation fields for this phase. Ms. Bourbonnais spoke up that site work will go well beyond this phase's approval.

Mr. Donegan wondered if, in effect, the Town would be allocating sewer capacity for these future phases, and if it shouldn't be first come first serve. Ms. Bourbonnais acknowledged that staff is struggling with the same dilemma, and pointed out that the big picture for street connectivity must be examined as well. Mr. Duarte said that flows were lost from closed industries like Bostich so the Town does want to get some back and the wastewater treatment facility can handle it; the bigger Route 2 issue is that the pipes were sized during the Corridor Study based on an assumption of flows for the

conditions then. Staff now has to weigh future unknown development with the proposed, and would rather sit down and plan it now.

Mr. Gomez voiced his opinion that a comprehensive assessment is needed because it's not only sewer capacity to be analyzed but traffic and life safety too. Mr. Stone remarked that it is difficult for planning purposes to approve something that is not likely for at least 10 more years and tie up capacity for an undefined time in the future, and was in favor of an associated time element. Mr. Donegan and Mr. Duarte discussed sewer capacity limits under a RIPDES permit, and Mr. Duarte stated that the capacity can't be expanded cost-effectively beyond the limit. Mr. DeAngelis sought to gain perspective by comparing what the present campus is generating daily versus the numbers enumerated in tonight's hearing, and cautioned that the 100 year plan with full development of the 200 acres can produce crazy numbers.

Mr. DeAngelis requested that the hearing be continued to another Planning Board meeting. Mr. Donegan wished to ensure that advice on sewer capacity and the bigger picture will be given by staff in advance of that next meeting.

Mr. Brusini assured the applicant that the Board is flexible for a continuation date but will only want to hear new information at that time, especially more details on water and sewer. Mr. Brusini also stressed that the Board will need to be clear on what this phase entails for approval, and such approval is no guarantee for that a future phase won't need new capacity or infrastructure analysis. Ms. Bourbonnais was confident that nothing significant has changed with traffic from the last time the Town's traffic engineer reviewed the study.

4. Minutes of Meetings: March 19, 2014, May 7, 2014, and June 4, 2014

Regarding the March 19, 2014 minutes:

VOTE: 5 – 0 – 0 to approve the minutes of the March 19, 2014 meeting as written.

Regarding the May 7, 2014 minutes:

VOTE: 5 – 0 – 0 to approve the minutes of the May 7, 2014 meeting as written, with a minor correction to page 3 as recommended by Mr. Brusini.

Regarding the June 4, 2014 minutes:

VOTE: 4 – 0 – 0 to approve the minutes of the June 4, 2014 meeting as written.

5. Planning Board Member Comments: For items not on the agenda and not relating to specific applications.

Mr. Stone questioned whether it is appropriate or in the Board's authority to impose a temporal deadline on these bigger projects, and Ms. Bourbonnais expressed that, aside from tolling, applicants ordinarily only have 2 years to record their Final Plan with as-built construction plans; if they can't accomplish that in the timeframe then they must return to the Board with an extension request.

With no further business, there was a motion by Mr. Ayotte, second by Mr. Stone, to adjourn at 9:54 p.m.. Motion unanimously supported.

Minutes respectfully submitted by:

Juliana M. (Berry) King,
Planning Technician

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