

MINUTES

September 1, 2015

Chairman Smith called the Planning Commission Meeting to order at 7:03 p.m. in the City Council Chamber. The following Commission members were in attendance:

Michael Smith, Chairman
Kenneth Mason, P.E.
Mark Motte
Gene Nadeau
James Moran (arrived late)
Lynne Harrington
Fred Vincent
Kimberly Bittner

Also present were:

Peter Lapolla, Planning Director
Stephen Marsella, Esq., Assistant City Solicitor

APPROVAL OF MINUTES

Upon motion made by Mr. Nadeau and seconded by Mr. Motte, the Commission unanimously voted (7/0) to approve the minutes of the August 4, 2015, Plan Commission Meeting.

SUBDIVISION AND LAND DEVELOPMENTS

Garden Vista – Preliminary Plan (Continued)
Major Land Development (RPD) without street extension
5 duplex units (10 total)
Randall Street, Bellevue Drive - AP 12/6, Lot 2285
Request to reconsider conditions of approval

Based upon the representations of Attorney Resnick that his office was in possession of an approved easement from National Grid, the Plan Commission; upon motion made and amended by Fredrick Vincent and seconded by Kimberly Bittner, unanimously voted (8/0) to amend a condition of Preliminary Plan Decision as voted on December 8, 2006 by removing the following requirement:

“9. National Grid’s written Assent Agreement approving the proposed construction within the easement area to be provided with Final RPD submittal.”

The Plan Commission further voted to eliminate the option of the City Planning Department to administratively approve any Final Plan and to require the Final RPD submittal, for the above cited RPD, to be submitted to the Plan Commission for review and approval during a regularly scheduled public meeting.

Chapel View – Final Plan Enforcement
Mixed-Use Planned District (MPD)/ Major Land Development
Restoration of landscape islands

Upon motion made by Mark Motte and seconded by James Moran, the City Plan Commission unanimously voted [8/0] that, in lieu of restoring the landscaped islands in the parking field at the front of Build 4000, to require landscaping to be installed in accordance with a plan entitled Parking Island Enhancement Landscape Plan to Chapel View Mixed Use, Scale 1'=30 as signed and stamped by Richard Bourbonnais II on September 4, 2015. In taking this vote, the Commission set the following conditions:

- All required landscaping activities shall be completed by November 15, 2015.
- At the completion of all landscaping associated with the Chapel View MPD, an as-built landscape plan shall be submitted to the Plan Commission.
- All landscaped areas shall be kept free of weeds and debris. All vegetation within said areas shall be maintained free of physical damage caused by chemicals, insects, diseases, lack of water or other causes. Damaged or dead plants shall be replaced with the same or similar vegetation on an annual basis.

Gold Meadow Farms – Phase IV (Whispering Pines Extension)
Performance Guarantee Release Request

Upon motion made by Ms. Bittner and seconded by Mr. Motte, the Commission unanimously voted (8/0) to continue this matter to the October 6, 2015, Plan Commission meeting.

ZONING BOARD OF REVIEW RECOMMENDATIONS

MESHANTICUT VISTA ASSOCIATES 1414 ATWOOD AVENUE JOHNSTON RI 02919 (OWN) AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS 900 ELM STREET PO BOX 326 MANCHESTER NH 03105-0326 (APP) have filed an application for permission to install wireless telecommunications equipment on rooftop of an existing building and an accessory structure at ground level with restricted side yard setback at **225 New London Avenue**. AP 10-3, lot 666, area 3.94+/- acres, zoned B-2. Applicant seeks relief from Section 17.92.010 Variance, 17.20.120 Schedule of Intensity, 17.20.030 Schedule of Uses, 17.76.010 (c) (I) (i)-(iii) Telecommunications Facility.

This application was reviewed for conformance with criteria (3) of R.I.G.L. 45-24-41 (c) "*Standards for Variance*" which reads as follows: "*That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based.*"

Findings of Fact:

1. Three wireless antennas, 10 feet high, and associated cables, will be installed on the roof of the building that is 38' high.
2. The application is in conformance with the Comprehensive Plan and Zoning ordinance that recommends that existing structures and buildings be utilized as locations for communication antennae, as long as they are not higher than 25' above the highest point of the structure. The proposed antennae are 10' high.
3. The proposed antennas will remedy a Verizon Wireless service area significant gap in substantial coverage in the residential areas to the north of Garden City Drive.
4. Since the antennae are located on the roof of the building, the application will not alter the general character of the surrounding area, or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based.
5. The proposed 26' x 12' equipment shelter, located in the northwest corner of the property, will be 13'-4" high and has a restricted side yard setback of 4'-7" from the north side property line, and ft. where 5 ft. is required per the Zoning Ordinance.

Recommendation: Upon motion made by Mr. Motte and seconded by Mr. Vincent, the Plan Commission unanimously voted (8/0) to forward a positive recommendation on this application to the Zoning Board, as the location of the antennae on the existing structure serves to satisfy the height requirement for the antenna without having a visual impact at ground level.

ROCCO AND SHERI LOMBARDI 32 FOX RUN CRANSTON RI 02921 (OWN/APP) have filed an application for permission to build a 384+/- SF bedroom addition with restricted side yard setback at **32 Fox Run**. AP 25/4, lot 632, area 24,404+/- SF, zoned A-20. Applicant seeks relief from Section 17.92.010 Variance, 17.20.120 Schedule of Intensity.

This application was reviewed for conformance with criteria (3) of R.I.G.L. 45-24-41 (c) "Standards for Variance" which reads as follows: "That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based."

Findings of Fact:

1. The existing house is consistent with the 2010 Comprehensive Plan Future Land Use Map that designates this area as Single Family Residential, 3.63 to 1 unit per acre.
2. The new 16' x 24' second floor addition will be built on 6 x 6 posts, and will be constructed over an existing open deck that will remain open on the sides.
3. The proposed addition will maintain the 14' restricted side yard setback of the existing open deck. A 15' side yard setback is required in this zone.
4. The survey plan shows that the existing house has a restricted 13'-9.6" side yard setback
5. The rear portion of the lot is in an Open Space S-1 zone, however the addition is totally within the A-20 zone.
6. The survey plan also shows that the existing shed has a 9' restricted side yard setback, where 10' is required for accessory structures.

Recommendation: The Commission finds that the one foot setback relief for the 2nd floor addition will not alter the general character of the surrounding area, or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan upon which the ordinance is based. Therefore, upon motion made by Mr. Moran and seconded by Mr. Mason, the Plan Commission unanimously voted (8/0) to forward a positive recommendation on this application to the Zoning Board.

PLANNING DIRECTORS REPORT – RPD Ordinance Update

Mr. Lapolla informed the Commission that he has discussed the proposed amendments to the existing RPD ordinance with the Mayor, and he is comfortable with the proposed changes. The next step will be to approach the development community for their input. There is a meeting scheduled for September 14, 2015, with DiPrete Engineering and Attorney Robert Murray to do just that.

ADJOURNMENT Upon motion made by Mr. Motte and seconded by Mr. Nadeau, the Commission unanimously voted to adjourn at 8:30 pm.

NEXT MEETING October 6, 2015 – City Council Chamber, 7 pm

Respectfully submitted,

Jason M. Pezzullo, AICP
Principal Planner/Administrative Officer