



Town of Portsmouth

PLANNING BOARD

2200 East Main Road / Portsmouth, Rhode Island 02871

www.portsmouthri.com

(401) 683-3717

REGULAR MEETING

JUNE 13, 2018

Members Present: Guy Bissonnette, Chair, Luke Harding, Vice Chair, David Garceau, Michael James, Edward Lopes, Ryan Tibbetts and Kathleen Wilson.

Members Absent: None.

Others Present: Leon Lesinski, Planning Board Administrative Officer, Attorney Kevin Gavin, Town Solicitor, Michael Asciola and Recording Secretary Barbara Ripa.

The Meeting was called to order by Mr. Bissonnette at 7:00 p.m.

1. Agenda Continuances/Modifications:

8. Northern Waterfront Associates, LP (The Newport Beach Club) AP 16, lot 37, AP 17, Lots 8 and 9, AP 22, Lots 2, 3, 4, and 10, AP 23, lots 18 and 19. Request for Minor Modification to Final Plan (Fifth Modification).

Mr. Lesinski said that there has been a management change and the petition has been withdrawn. No action necessary.

2. Approval of Minutes for Planning Board Meeting of May 9, 2018:

Mr. Bissonnette said that on page 2, item 4, after the paragraph beginning "Mr. Bissonnette recused..." it should state, "Mr. Harding as Vice-Chair conducted the meeting."

After the motion, it says Mr. Bissonnette called for public comment, it should instead state that "Mr. Harding called for public comment."

At the end of the item and prior to item 5, it should be noted that "Mr. Bissonnette resumed as Chair."

A motion was made by Mr. Harding and seconded by Mr. Tibbetts to accept the minutes as amended. Mr. Lopes recused himself from voting as he was absent from the meeting. The motion carried 6-0 with Mr. Lopes recused.

MOTION: A motion was made and seconded by Mr. Harding, to approve the minutes of the regular meeting of May 9, 2018 as corrected. The motion carried with all in favor.

3. Windrock, LLC, AP 48, Lot 19 (Windstone Drive) Request for Extension to the Final Plan Approval Granted on August 9, 2017.

Attorney Eric Chappell, 171 Chase Road, was present to represent Windrock, LLC. Mr. Chappell

stated that out of an abundance of caution they were asking for a six-month extension from the August 9, 2018 approval date. There are two easements that are still not done – an electric and a water, and there is some financing still to be done.

MOTION: A motion was made by Mr. Harding and seconded by Mr. Lopes, to grant a six-month extension from August 9, 2018 to Windrock, LLC. The motion carried with all in favor.

4. Sakonnet Bluffs, LLC, AP 59, Lots 5A – 5P, Vanderbilt Lane. Request to Reduce Road Bond for the Sakonnet Bluffs Subdivision.

Mr. Harding recused himself from this matter.

Attorney Eric Chappell, 171 Chase Road, was present to represent Sakonnet Bluffs, LLC. Mr. Chappell asked for a release of 50% of the road bond. A letter from Brian Woodhead, Deputy Director of Public Works, was present indicating that the bond could be released.

Mr. Bissonnette called for abutters or interested parties.

Ann Fiore, 290 Frank Coelho Drive gave testimony. Ms. Fiore believes that the road has not been installed as approved and it is unsafe. She has hired DiPrete Engineering and Ms. Fiore's attorney will be sending a letter to the Town. Ms. Fiore read from a prepared statement.

Mr. Bissonnette told Ms. Fiore they could continue this request until August (there is no Planning Board meeting in July) if Mr. Chappell agrees, but he wants to hear from her engineer at that time. Mr. Chappell agreed to the continuation.

MOTION: A motion was made by Ms. Wilson and seconded by Mr. Garceau to continue the request to reduce the road bond for the Sakonnet Bluffs Subdivision to the regular meeting in August. The motion carried with all in favor.

5. Michael DeArruda, AP 47, Lots 33 and 33A (1650 East Main Road) Administrative Subdivision of AP 47, Lot 33 into Parcels A and B, which was Previously Done by Deed.

Mr. Lopes recused himself from this matter.

Attorney Eric Chappell, 171 Chase Road, represented Michael DeArruda. Mr. Chappell said that the lot was subdivided by deed in 1956 and 1962 after Planning came into existence, so it is subject to Zoning. Mr. Chappell said he would like to withdraw the petition without prejudice. No action is necessary.

6. Borden Farm Limited Partnership and John and Susan Borden, AP 31, Lots 32 and 32A (2951 East Main Road). Request for Minor Subdivision and Advisory Opinion to Town Council for Zoning Change.

Attorney Neil Galvin, Corcoran, Peckham, Hayes & Galvin, P.C., 31 America's Cup Avenue,

Newport, was present representing the applicant. Mr. Galvin said they filed a request with the Town Council, so that triggers a request for a Planning Board Advisory Opinion. They would also need to ask the Zoning Board of Review for relief. The Bordens want to preserve the Borden Farm building but they will need to liquidate some of the land at the rear of the property in order to get the funds to do so. They would like to change the zoning to residential for the rear lot, which is consistent with the area in which it is located. The removal of that new rear lot from commercial should not be a negative to the area. Mr. Galvin distributed a colorized map showing commercially zoned property and residentially zoned property in the area to show how the change would look. Mr. Galvin distributed plans with the dimensions of the proposed lots.

John Borden, 41 Mill Lane, was sworn in. Mr. Borden said that they would like to create the residential lot from the existing commercial lot. The rear lot is surrounded by existing residential use. It is compatible with the Comprehensive Community Plan. They are not taking away any potential commercial use on East Main Road. He would like to preserve the 1865 Victorian and 1890 barn on lot 32 but needs finances to do so. Also, if the entire lot was used for commercial uses, there would be more intense use in the residential section of the area.

Mr. Bissonnette called for abutters or interested parties.

Susan Lewis, 28 Canonchet Drive spoke. Ms. Lewis wasn't certain about how it would affect her because she was not sure if they would be allowed to build more on the new lot once it was zoned residential. The Board told her they would have to come back before the Board to build more and she would be notified. She is also concerned about the amount of asphalt surrounding her.

Alexander Hall, 36 Canonchet Drive spoke. He said that the lot will not have the required frontage. The Board said it was a Zoning Board issue that would have to be decided by them.

Mr. Galvin said that the inherent nature of zoning would protect abutters. He believes this is a straightforward project.

MOTION: A motion was made by Mr. Tibbets and seconded by Mr. Lopes to give conditional approval on the minor subdivision plan of Borden Farm Limited Partnership and John and Susan Borden, map 31, lots 32 and 32A, to change the rear portion of the lot from C1 to R20, and to provide a favorable advisory opinion to the Zoning Board and the Town Council. The motion passed with all in favor.

7. Portsmouth Water & Fire District, AP 56, lot 6 Corner of West Main Road and Union Street (Owner: Benzine Development Corp). Preliminary Application for Minor Subdivision (One lot).

Attorney David J. Fox, 850 Aquidneck Avenue, Middletown, was present to represent Benzine Development and the Portsmouth Water & Fire District (PWFD). A special use permit is required for a pumping station for the Portsmouth Water & Fire District. They own a lot just east of the proposed lot and will require an easement for them to get to it, at the least. Mr. Fox introduced engineer, Thomas Principe.

MOTION: A motion was made by Mr. Lopes and seconded by Ms. Wilson to accept Thomas Principe as an expert in civil engineering. The motion passed with all in favor.

Mr. Principe said this petition is for a minor subdivision and a special use permit. The lot is a 20,000 sq. ft. lot in a C-1 zone and it meets all zoning requirements. A sampling sink is all that is required and no OWTS is needed. Access will be at the north and the remainder will be enclosed and fully fenced. There may be one exterior light that is perhaps on motion-sensor. Plans have not gone to the Department of Transportation yet.

Benjamin R. Levesque, PE, BCEE, Project Manager, 492 Allens Avenue, North Attleboro, MA was introduced. Mr. Levesque has nearly 20 years of working in the field. His résumé was distributed to the Board.

MOTION: A motion was made by Mr. Lopes and seconded by Ms. Wilson to accept Benjamin Levesque as an expert in civil and environmental engineering based on his resume and his testimony. The motion passed with all in favor.

Mr. Levesque said that the existing station is beyond its useful life. The current infrastructure is nearby so this is an ideal location for the proposed lot. The town is serviced by this, and it is very critical that this is in service – the entire town uses it. There is room behind the new unit on the new site for the future – they now have a 30 to 40-year plan.

Mr. Bissonnette called for abutters or interested parties. There were none.

MOTION: A motion was made by Mr. Lopes and seconded by Ms. Wilson to give a favorable recommendation to the Zoning Board of Review and to grant conditional approval on the minor subdivision plan of Portsmouth Water & Fire District, AP 56, lot 6, corner of West Main Road and Union Street, subject to a physical alteration permit and all application permits being granted and the Board grants the Administrative Secretary permission to sign the decision when the permits are in place. A motion to amend the original motion to add approval of a special use permit was made by Mr. Lopes and seconded by Ms. Wilson. The motion to approve the original motion as amended passed with all in favor.

9. Richard Strom, AP 12, Lot 43 (600 Boyds Lane) Concept Plan Review.

Geralyn Small, PE, Northeast Engineers & Consultants, Inc., 55 John Clarke Road, Middletown, was present representing Richard Strom. Ms. Small said that there is enough land for six lots but they are proposing five lots to keep the main lot with home and pool. They were considering access to lots 4 and 5 via a shared driveway from Shoreline Terrace. They were also thinking of a shared driveway for 2 and 3.

Richard Strom, 600 Boyds Lane was sworn in. With all in the discussion, the possibility of a shared driveway for lots 2, 3 and 5 coming in from Boyds Lane and then lot 4 could access the Shoreline Terrace cul-de-sac was discussed. No action was taken.

10. Discuss Aquidneck Island Planning Commission (AIPC) Report of AIPC Activities.

Ms. Wilson reported on AIPC activities. 1) Regarding St. Mary's Pond, they have gone to DEM for permitting, then they will go for an RFP for companies that have devices to remove nitrogen that is coming from yards, roofs, runoff, and driveways. 2) Regarding the audit report, the new Executive Director wrote a detailed letter to the Town Council President with information. 3) They have partnered with Peoples Power & Light, who are involved in alternate energy sources such as solar and wind, and are looking into electric charging stations for cars. 4) Regarding the Carriage Drive drainage problem, there was a meet and greet with property owners and Michael Asciola.

11. Approve Monthly Project Status Reports, Administrative Subdivisions and Plat Plan Recording.

A motion was made by Mr. Harding and seconded by Ms. Wilson to receive the status report and place on file. The motion carried with all in favor.

A motion was made by Mr. Harding and seconded by Ms. Wilson to adjourn. The motion carried with all in favor. The meeting was adjourned at 8:15 p.m.

Respectfully submitted:
Barbara A. Ripa
Recording Secretary for:

Leon Lesinski
Administrative Officer