

PLANNING BOARD MINUTES

A regular meeting of the South Kingstown Planning Board was held on Tuesday, September 14, 2010 at 7:04 p.m. in the Council Chambers at the South Kingstown Town Hall, 180 High Street, Wakefield, Rhode Island.

A. ROLL CALL:

Mack – Present Clendenen – Present Riendeau – Absent Castrovillari - Present
Morrison – Present Kenerson – Present

Mr. Dennis Vinhateiro, Principal Planner, Mr. William Boardman, Town Engineer, and Ms. Nancy Letendre, Special Legal Counsel were present.

B. CONSENT AGENDA (CA):

Ms. Mack read the items on the Consent Agenda.

Ms. Mack removed the August 10, 2010 regular meeting minutes, from the Consent Agenda.

Mr. Morrison moved, Mr. Kenerson seconded; motion carried: "To approve the following Consent Agenda items:

C. APPROVAL OF MINUTES:

(CA) June 22, 2010 Work Session

(CA) July 27, 2010 Work Session

F. (CA) SPECIAL ITEMS:

1. (CA) Preliminary Plan Review and Draft Approval, Costanza Minor Subdivision, a Proposed Two-lot Subdivision (One Existing Home), Existing Street Frontage, AP 49-1, Lot 61, 6 Dendron Road, V. Edward Costanza Trust, Owner/Applicant

Motion: 'The South Kingstown Planning Board hereby grants Preliminary Plan Approval to the Minor Subdivision prepared for the V. Edward Costanza Trust Agreement, a proposed two-lot subdivision located on Oakwoods Drive and Dendron Road, AP 49-1, Lot 61, as depicted on plans entitled: 'Costanza Minor Subdivision Proposed Site Plan, Assessor's Plat 49-1, Lot 61, 6 Dendron Road, South Kingstown, Rhode Island.' Plan by: Carrigan Engineering Inc., 140 Point Judith Road, Unit #3 Mariner Square, Narragansett, RI 02882, dated 02/19/10, scale: 1" = 20'. This approval is based upon the following Findings of Fact and Conditions of Approval:

Findings of Fact

1. The subdivision is consistent with the requirements of the Comprehensive Plan.
2. The subdivision conforms to the standards and provisions of the South Kingstown Zoning Ordinance.
3. No lot is designed and located in such a manner as to require relief from Article 5, Section 504.1 of the Zoning Ordinance, as amended.
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with the required Conditions of Approval.

5. The subdivision, as proposed, will not result in the creation of building sites with such physical constraints to development that building on these lots according to pertinent regulations and building standards would be impracticable.
6. The subdivision has adequate and permanent physical access to a public street, namely Oakwoods Drive and/or Dendron Road.
7. With the required Conditions of Approval the subdivision will provide for adequate surface water runoff, for suitable building sites and for the preservation of natural, historical, or cultural features that contribute to the attractiveness of the community.
8. The design and location of building sites, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion.

Conditions of Approval

1. Approval is limited to two lots in total: 'Proposed Lot North' is the new lot and 'Proposed Lot South' will accommodate the existing building.
 2. The subdivision shall be developed in substantial conformance with the plans and specifications submitted in support of this application.
 3. Fair Share Development Fees for both school facilities and open space and recreational purposes, as required in the Zoning Ordinance and as amended annually in the Capital Improvement Program, shall be required for 'Proposed Lot North' only.
 4. The existing water line crossing the property providing water service to Assessor's Plat 49-1, Lot 170 shall be removed/relocated prior to recording.
 5. Survey monuments shall be shown on the Final Plan and installed in the field to define the new lot lines. The number and location of the monuments shall be subject to the approval of the Administrative Officer.
 6. The applicant shall record deed descriptions of both new lots concurrent with the recording of the Final Plan.
 7. The applicant shall obtain a Physical Alteration Permit and, if necessary, a Tree Permit from the Town's Department of Public Services to locate a driveway to serve the new lot.'
2. (CA) Order of Notice Scheduling a Development Plan Review Public Hearing, Private Cellular Communications Tower, a Proposed 150 Foot Private Cellular Communications Tower, Landscape Waiver Request, AP 41-1, Lot 18, Located at 96 Rose Hill Road, SBA Network Services, Inc., and Metro PCS, Applicants, Ed Timpson and Sons Inc., Owner

Motion: 'The South Kingstown Planning Board hereby schedules a Development Plan Review Public Hearing on October 12, 2010 to consider the application of SBA Network Services, Inc. and Metro PCS for Development Plan Approval with waivers of the Subdivision Regulations relating to landscaping requirements for a private cellular communications tower on property identified as Assessor's Plat 41-1, Lot 18 and located at 96 Rose Hill Road. Staff is directed to place the requisite legal advertisement for such hearing and prepare notice materials for use by the applicant.'

3. (CA) Growth Management Program Assessment and Report to the Town Council, Draft Motion Forwarding the Planning Board's 'Mid-program Year Review and Assessment of the South Kingstown Growth Management Program to the Town Council

Motion: 'Per the Town Council's amendments to the South Kingstown Growth Management Program (adopted September 24, 2007), the Planning Board has conducted a review and assessment of the program components at work sessions on July 27th and August 24th and at a regular session on September 14, 2010. This review is detailed in the attachment dated

August 25, 2010 and entitled: 'Summary Outline, Town of South Kingstown, Growth Management Program, 2009-2010' (status notes of program components shown in bold, italic typeface). The Planning Board reiterates its support of the program goals and components and recommends that the program effort continues over the second year of the biennial program.'

G. (CA) **REPORT OF THE ADMINISTRATIVE OFFICER:**

ADMINISTRATIVE SUBDIVISIONS recorded during August 2010

None were recorded.

MINOR SUBDIVISIONS recorded during August 2010

Taylor, Taylor and Keenan Replat, AP 42-2, Lots 18, 19 and 20, located at 4144A, 4144B and 4144C, Tower Hill Road, recorded August 4, 2010.

MAJOR SUBDIVISIONS recorded during August 2010

None were recorded."

VOTE: Mack – aye Clendenen – aye Kenerson – aye Castrovillari – aye
Morrison – aye

C. **APPROVAL OF MINUTES:**

Ms. Mack stated that she removed the August 10, 2010 regular meeting minutes because she was sending them back to the Planning Department secretary for a minor correction.

D. **DRAFT DECISIONS:**

1. Development Plan Review Draft Decision, Willow Dell Beach Club, a Proposed Relocation of Existing Cabana Building, Deck and Canopy, New Gravel Parking Field, Landscape Waivers Requested and Recommendation for a Special Use Permit, AP 92-1, Lot 36, Located at 156 Card's Pond Road, Willow Dell Beach Club, Owner/Applicant

Ms. Margaret Laurence, Esquire, representing the Willow Dell Beach Club and James Reilly, Esquire representing Ms. Marceau were present.

Ms. Mack stated that the Board had two motions before it and asked if there were any comments, corrections or additions.

Ms. Mack asked Legal Counsel if the proposal could come back to the Planning Board after findings on the application are made by the Zoning Board. Ms. Letendre stated that with respect to the waiver if there is an appeal on the Conditions of Approval it could come back to the Planning Board.

Ms. Mack stated that she had one addition that might be appropriate. In the second motion she asked Legal Counsel if the words "as modified" should follow Development Plan B since it is relative to the Special Use Permit. Ms. Letendre stated that the last sentence specifically references the modifications; however, she would add as requested.

Mr. Reilly stated that although the Public Hearing has been closed and after receiving the draft decision he asked Mr. Carter to prepare a plan which reflects the Planning Board's decision. Ms. Mack stated that because the Public Hearing was

closed the Planning Board could not accept any new material. Mr. Reilly noted that because he feels that the draft decision is difficult to understand he suggested that the Planning Board includes this visual plan by Mr. Carter along with the written motion, which reflects the information in the draft motion.

Ms. Laurence did object to Mr. Reilly's suggestion of including the proposed plan in the draft motion and also objected to the new plan being inserted into the Willow Dell Beach Club file. She noted that she received the plan when she arrived at tonight's meeting and she and members of the Willow Dell Beach Club only had a brief time to compare the two plans. Ms. Laurence stated that Club does not feel that Mr. Carter's plan reflects the Planning Board's decision.

Mr. Reilly pointed out that if the decision were appealed or when it goes before the Zoning Board of Review it would be better if the members had an approved plan to which they could refer. Mr. Reilly stated that perhaps the Planning Board should reconsider making its decision in order to review the new plan prepared by Mr. Carter. Mr. Reilly made note of issues that were not made clear in the draft motion. Mr. Reilly stated that he did not want to change the draft motion; he just wanted the decision to reflect the Planning Board's intention.

Mr. Clendenen stated that he agreed with Mr. Reilly that the language in the draft motion was not very clear and had expressed his opinion to staff. He also stated that from the beginning he was unhappy with the proposed plan because it was not specific enough; it is open to interpretation and feels that if the Board wants to add more specific language he feels that the Board would have to require more specific drawings.

Board members added to Condition of Approval # 3d that a minimum 20' buffer be maintained between the easterly edge of the path and the westerly edge of the parking area.

Ms. Letendre stated that she would add wording to Condition of Approval # 2 relative to no disturbance of the vegetation area west of the path and in Condition of Approval # 3d she would add wording that these plantings would be maintained for a minimum of 20' along the north side of the parking area.

Mr. Vinhateiro clarified the language in Condition of Approval # 2. He stated that in addition to the first sentence, a second sentence would read "The area west of said pathway shall remain in its existing natural condition."

Mr. Clendenen moved, Mr. Kenerson seconded; motion carried: **Motion #1:** "The South Kingstown Planning Board hereby grants Development Plan Approval to the Willow Dell Beach Club to relocate the existing building and install new parking areas in accordance with the plan entitled: 'Development Plan B for Willow Dell Beach Club, Inc., 156 Card's Pond Road,

South Kingstown, RI 02879.' Plan by American Engineering, Inc., dated May 5, 2010. This approval includes modifications to 'Option B' as discussed herein and as outlined in the Findings of Fact and Conditions of Approval:

Findings of Fact, Site and Use

1. The site is in a unique setting on the south facing beachfront on the Atlantic Ocean (Block Island Sound).
2. The site is environmentally sensitive and has been the subject of substantial erosive forces from storm events and wave action, particularly since 1978.
3. Such erosion has required the consideration of moving the Willow Dell Beach Club facility further landward to ensure its viability for the 130+ members of the club (families and individual members); thus the instant application.
4. The existing vegetative communities on the undisturbed areas of the parcel are substantial in nature and provide a natural means to mitigate erosion and sedimentation in the face of storms. Retention of such

features to the greatest extent feasible while allowing the application to proceed is a planning goal of the Planning Board's consideration of this proposal. Numerous studies have documented the value of deep rooted native vegetation along coastal features in terms of erosion resistance. In addition, these features also provide buffers to adjoining properties and habitat for indigenous wildlife. Retention of natural features on the site is seen as an alternative means of complying with landscaping requirements and supports the applicant's request for relief from the landscaping requirements of the South Kingstown Land Development and Subdivision Regulations.

5. The Willow Dell Beach Club is a valuable recreational resource for its membership and its stewardship of its property is an asset to Matunuck Village and the community at large.
6. The Planning Board fully supports the efforts of the applicant to reconfigure the site to permit the future viability of the club as conditioned herein.
7. The Board finds that the proposed parking configuration and number of spaces exceeds the typical needs of the club membership over the summer season.
8. Through the findings and conditions of this decision the Planning Board's goal is to accommodate the application in balance with considerations of the site's sensitivity, its context in relation to other properties and traditions of use and regulatory intent of the Zoning Board in the original Special Use Permit as it applied to the property and neighboring uses.

Findings of Fact, Development Plan Review

1. The granting of the approval will not result in conditions inimical to the public health, safety, and welfare but instead will provide additional safety, security and increased viability for this valuable recreational resource.
2. The Willow Dell Beach Club has operated at this site since 1986 and is recognized as an asset to the Matunuck neighborhood and to the town at large. As such, the granting of this approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district.
3. The plans for such project comply with the requirements of the Zoning Ordinance and the Subdivision Regulations.
4. The plans for this project are consistent with the Comprehensive Plan.
5. Any conditions or restrictions that are necessary to ensure that these guidelines are met have been incorporated in this written approval.

Findings of Fact, Requested Waivers

1. The applicant is requesting waivers from the interior and perimeter landscaping requirements of the Subdivision Regulations. Subject to the Conditions of Approval listed below, it is the finding of the Planning Board that the requested waivers meet the criteria outlined in Article VIII.B. of the regulations and as such the granting of the requested waivers to allow this design to proceed is reasonable and within the general purposes and intent of the regulations and is in the best interests of good planning practice and design as evidenced by consistency with the Comprehensive Community Plan.
2. It is the further finding of the Planning Board that literal enforcement of the regulations is impracticable and will exact undue hardship because of peculiar conditions pertaining to the land in question or waiver or modification of these regulations is in the best interests of good planning practice or design as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance.

Conditions of Approval

1. This approval for the relocation of the clubhouse and parking support facilities is based on Willow Dell Beach Club's 'Option B' plan dated 5/05/10 by American Engineering as modified herein.

2. The existing north-south access pathway servicing AP 92-1, lot 10 shall be maintained. The area west of said pathway shall remain in its existing natural condition.
3. The 18 parking spaces comprising the so-called 'overflow lot' shall be relocated as follows:
 - a. Establish four spaces in the areas freed up by eliminating the planters shown in the main easterly parking field.
 - b. Establish remaining spaces along the access drive (easterly side, 200+ feet) using an angled or perpendicular configuration as deemed practical/appropriate by the project engineer in the consideration of safe and efficient traffic flow.
 - c. Maintain to the greatest extent feasible existing native buffer plantings along the westerly side of the access drive.
 - d. Maintain a minimum buffer of 20 feet between the easterly edge of the path and the westerly end of the parking area.
 - e. Maintain the area of the relocated parking spaces (so called 'overflow lot') in its existing natural condition.
4. Prepare a planting plan, in accordance with CRMC standards and approval, to re-vegetate and restore the area of the relocated beach club facility and existing lawn area on the south side of the clubhouse. The planting plan should utilize plants that are native to the setting and have deep rooted and hardy characteristics that will provide resistance to erosive forces. It would be the intention of this planted area to act as a buffer to future beach erosion to the degree feasible.
5. No lighting of the parking areas area is proposed or specified under this approval.
6. The Planning Board specifically approves the use of a gravel parking field/surface."

VOTE: Mack – aye Clendenen – aye Kenerson – aye Castrovillari aye
Morrison – aye

Mr. Clendenen moved, Ms. Castrovillari seconded; motion carried: **Motion #2:** "In accordance with the requirements of the South Kingstown Zoning Ordinance, Article 5, Section 505.1 D.5 the Planning Board recommends that the Zoning Board of Review grants a Special Use Permit to the Willow Dell Beach Club to permit the relocation of its existing beach club facilities to a more inland location as specified in 'Development Plan B, as modified, for Willow Dell Beach Club, Inc. Located at 156 Card's Pond Road, South Kingstown, R.I. 02879.' Plan by American Engineering, Inc., 400 South County Trail, Suite A 201, Exeter, RI 02822; plan dated 5/05/2010. In making such recommendation the Planning Board specifically references and attaches here to its findings and September 14, 2010 decision on the project development plan noting changes to the configuration of the parking areas and waivers granted concerning landscaping requirements for the relocated parking areas servicing the club facility."

VOTE: Mack – aye Clendenen – aye Kenerson – aye Castrovillari aye
Morrison – aye

2. Request for Reinstatement of Preliminary Plan Approval Draft Decision, Compass School Minor Subdivision, a Proposed Two-lot Subdivision (Existing School and Single-family Home) Requiring Zoning Board Approval of a Special Use Permit for the School on a Newly Proposed Lot, AP 16-4, Lot 16, Located at 537 Old North Road, Jemima Realty, Owner/Applicant

Neither the applicant nor its representative was present.

Mr. Thomas Webber, Vice-President of the School Council and a representative for the Compass School was present.

Ms. Mack asked Mr. Webber if he could elaborate on the reinstatement request and where the Compass School is in the process.

Mr. Webber stated that the reinstatement of the subdivision's Preliminary Plan Approval was requested by Jemima Realty not the Compass School. He noted that representatives of the Compass School could not attend the last meeting because they did not have adequate notice of the meeting. Mr. Webber stated that the Compass School is considering purchasing all 20 acres depending on financing and other issues. He noted that the Compass School has a secondary plan to purchase just ten acres, which is the concern of this application. Mr. Webber stated that the ability to purchase all 20 acres depends on qualified school construction bonds that the Compass School was allocated. The bonds need to be issued by the close of December 2010. He noted that depending on where financing comes from, the Compass School wants to have this application as a back-up plan. Mr. Webber stated that he had spoken with Mr. Vinhateiro who advised Mr. Webber to be present at this evening's meeting. If the Compass School decides that it can afford the 20 acres and all the financing is approved, it does not have to actually act on this application if it is approved.

Ms. Mack asked Mr. Webber if he understood that the reason the Compass School is part of the project is because there is a Special Use Permit involved as well as a Development Plan Review and not simply a subdivision of land. Mr. Webber stated that he is aware of the proposal because he served as chair of the site committee. Mr. Webber stated that there is a new formula of financing that has affected the school's finances in terms of looking at projections for being able to purchase the property and looking at how the Compass School will expand. He reiterated that this subdivision is a backup to its first goal which is to purchase all 20 acres.

Ms. Mack asked Mr. Webber if the Compass School were to purchase all 20 acres would there be any changes in the plan that was previously approved. Mr. Webber stated that it all depends on financing and understanding who is providing the funding. The original plan was to build three new structures and to expand the existing academic facility. That is still the school's plan; however, acquiring all 20 acres would provide the Compass School with the ability to potentially look at other new facilities.

Ms. Mack asked Legal Counsel how it would affect this particular plan if the school were to purchase the 20 acres. Mr. Vinhateiro stated that if the Compass School were to purchase the 20 acres the subdivision would not go forward. If the Compass School were to get the reinstatement they have the option to proceed in either direction. Ms. Letendre stated that if the Compass School does not follow the configuration of the approved plan, it would have to come back to the Planning Board with a new plan. Mr. Webber stated that the Compass School should have a clear understanding of its finances in the next two weeks.

Mr. Clendenen moved, Mr. Morrison seconded; motion carried: **Motion:** "The South Kingstown Planning Board hereby reinstates the Preliminary Plan Approval previously granted on November 13, 2007 to the Compass School Minor Subdivision prepared for Jemima Realty, LLC, a proposed two-lot subdivision located east of Old North Road, as depicted on plans entitled: 'Compass School Minor Subdivision, Assessor's Plat 16-4, Lot 16, 537 Old North Road, South Kingstown, Rhode Island.' Plan by: Carrigan Engineering, Inc., 140 Point Judith Road, Narragansett, RI 02882; dated 06-05-07 with revisions through 10-10-07; scale 1" = 50'. This approval is based upon the following Findings of Fact and Conditions of Approval:

Findings of Fact

1. The subdivision is consistent with the requirements of the Comprehensive Plan.

2. The subdivision conforms to the standards and provisions of the South Kingstown Zoning Ordinance.
3. No lot is designed and located in such a manner as to require relief from Article 5, Section 504.1 of the Zoning Ordinance, as amended.
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with the required Conditions of Approval.
5. The subdivision, as proposed, will not result in the creation of building sites with such physical constraints to development that building on these lots according to pertinent regulations and building standards would be impracticable.
6. The subdivision has adequate and permanent physical access to a public street, namely Old North Road.
7. With the required approval the subdivision will provide for adequate surface water runoff, for suitable building sites and for the preservation of natural, historical, or cultural features that contribute to the attractiveness of the community.
8. The design and location of building sites, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion.

Conditions of Approval

1. Approval is limited to two lots in total.
2. The subdivision shall be developed in strict conformance with the plans and specifications submitted in support of this application.
3. Prior to Final Approval, the Compass School shall obtain a Special Use Permit from the Zoning Board of Review to locate the school on proposed 'Parcel A'.
4. As part of the Final Plan submittal, the applicant shall provide a staggered row of coniferous trees/shrubs between the existing school building and the stonewall to further buffer the view shed from the historic farmstead property. The landscape plan for this area of the site shall be subject to the review and approval of the Administrative Officer in conjunction with a member of the Planning Board.
5. The applicant shall abandon the existing electric service and extinguish the electric service easement at such time as separate electrical service is provided to parcel 'B'. The applicant has one year from the date of recording to satisfy this Condition of Approval.
6. The applicant shall abandon the existing wastewater service and extinguish the wastewater service easement at such time as separate wastewater service is provided to parcel 'B'. The applicant has one year from the date of recording to satisfy this Condition of Approval.
7. Together with the Record Plan, the applicant shall record final easement documents in support of the proposed subdivision. Said documents shall be subject to the review and approval of the Town's Special Legal Counsel and the Administrative Officer.
8. Concurrent with the Record Plan, the applicant shall file revised deed descriptions for each of the two lots.
9. Fair Share Development Fees for both school facilities and open space and recreational purposes, as required in the Zoning Ordinance and as amended annually in the Capital Improvement Program, shall not be required for either of the two proposed lots.
10. Survey monuments shall be shown on the Final Plan and installed in the field to define the new lot lines. The number and location of the monuments shall be subject to the approval of the Administrative Officer.
11. A new deed for each of the two resulting lots shall be filed concurrently with the Record Plan."

VOTE: Mack – aye Clendenen – aye Kenerson – aye Castrovillari – aye
Morrison - aye

E. PUBLIC INFORMATIONAL MEETING:

1. Comprehensive Permit Conceptual Master Plan Public Informational Meeting, Old North Village, a Proposed Four-unit Minor Land Development Project, 100% Affordable, approximately 350 Feet of Proposed Private Road with Hammerhead Turnaround, AP 23-3, Lot 117, Located on the Westerly Side of Old North Road, 210 Feet North of Briar Lane, University of Rhode Island Board of Governors, Owner, South County Habitat for Humanity, Applicant

Ms. Margaret Laurence, attorney, representing Habitat for Humanity, Mr. Louis Raymond, Executive Director of Habitat for Humanity, Mr. Daniel Cotta, project engineer, Ms. Hali Beckman, landscape architect, Mr. J. Dennis Maloney, architect, planner and civil engineer, Mr. Thomas Webber, LEED accredited professional, and Mr. Vernon Wyman, URI Vice-President of Business Services, were present.

Ms. Laurence stated in her overview of the application that Habitat for Humanity has entered into an agreement with the University of Rhode Island to purchase property in a land swap and build four single-family homes on the parcel. Most of the funding has been attained and Habitat for Humanity is anxious to move forward on this because of the time frame and because the project has been in the process for three years. Ms. Laurence noted that Habitat for Humanity has met with the TRC and some of the neighbors and has tried to address all of their comments and concerns.

Ms. Mack made note that a packet of information had been presented to the Board by Mr. Raymond prior to the start of tonight's meeting and she asked that it be labeled Exhibit A.

Mr. Raymond stated in his presentation that Habitat for Humanity, established in 1976, has constructed over 300,000 homes in over 100 countries around the world. Mr. Raymond noted that since 1990, South County Habitat for Humanity has constructed or rehabilitated 43 homes throughout the eight towns of Washington County and is currently building its 44th home in Charlestown. Mr. Raymond outlined the HUD guidelines that an applicant must meet in order to receive funding. He presented information on the number of University of Rhode Island staff, employees and town employees who would qualify for Habitat housing. Mr. Raymond outlined the difference between a medium-priced home with a conventional mortgage and a Habitat for Humanity home as well as the price of rental units in the Town of South Kingstown. Mr. Raymond stated that South Kingstown needs 393 more affordable housing units to meet the 10% threshold established by the State Low/Moderate Income Act of 2004. He noted that the Town stands at 5.9% of its goal of affordable housing units and would meet 5.94% with this project. Mr. Raymond outlined the number of ways they make the homes affordable such as low maintenance, LEED standards for energy efficiency and environmental sustainability, homebuyer training classes, and sweat equity in home construction. He noted that affordability is also provided through its Land Trust Model of Homeownership. Mr. Raymond stated that the buyer purchases a home but Habitat for Humanity retains ownership of the land upon which the home sits. This allows Habitat for Humanity the tools to ensure that the home always remains affordable and provides control of the management of the property and infrastructure. Under the Land Trust Model of Homeownership the title to all the land in the project remains with Habitat for Humanity but provides the homeowner with a 99 year renewable ground lease. He stated that no rentals are allowed. Mr. Raymond stated that funding for Habitat projects comes from a number of sources. They rely on the mix of public funding through the HUD's home program, CDBG, state programs, corporate contributions, grants, community and church organizations as well as private donations. He outlined the controls that an applicant must adhere to in order to fulfill eligibility requirements. Mr. Raymond provided a list of contributors that would be assisting in some way with this project.

Ms. Mack stated that Habitat for Humanity is a highly regarded organization and the Planning Board is a proponent of affordable housing. She finds that the proposed project at 60% AMI is refreshing rather than the usual 80% AMI. Ms. Mack questioned the purpose of the documents depicting wages for URI and Town employees that Mr. Raymond had provided

and she asked if the photos were of recently built homes. Mr. Raymond stated that the documents depicted areas serviced by Habitat for Humanity and the photos are of homes that Habitat has built in recent years.

Ms. Mack asked why the applicant has chosen to use the Comprehensive Permit vehicle for this project. Ms. Laurence stated that the applicant has chosen the Comprehensive Permit process because of the list of waivers. She noted that the site is located in a GI zone and the plans are to construct four residential dwellings on one parcel which requires a waiver. Ms. Laurence stated that because the applicant is requesting a 30' wide private road as opposed to a 40' wide road and some technical aspects to the sewer tie-in, the Comprehensive Permit was the only vehicle for the applicant to use.

Mr. Cotta stated in his summary that the site is located on the west side of North Road in a vacant area that previously housed a school. The site slopes from east to west toward the rear of the property and just off-site there is a small wetland. Mr. Cotta noted that the area is zoned GI; however, the adjacent area is zoned R-10 and he has modeled the project area after R-10 zoning. He stated that they have tried to minimize as much of the impervious surface as possible and that is the reason for the requested waiver for the pavement width and right-of-way width. There is about 340' of privately owned and privately maintained roadway to service the four dwellings. The actual roadway would be 18' wide with two 1' berms for a total of 20 paved feet and would incorporate a hammerhead-type turnaround. The proposed homes would be built on slightly elevated slabs because there is a high water table in the area. Mr. Cotta is proposing to put the roof leaders into galleys for flow diffusion. He noted that there is a small shallow detention pond that is not made to hold water for a long period of time but would provide adequate storage volume for the roadway runoff in order to meet water quality standards. Mr. Cotta stated that the detention pond is probably larger than it needs to be but wants to give the impression of a flooded meadow with sloped sides so it would not look like a typical detention pond. The houses will be approximately 1,100 to 1,250 square feet in size and consist of three, three-bedroom homes and one four-bedroom home. Mr. Cotta stated that there are not a lot of trees on the site; however, the applicant plans to maintain the existing buffers where possible. He noted that at the TRC meeting he discussed the possibility of shifting the pavement within the right-of-way which would help to preserve some additional trees.

Ms. Mack stated that she had received a landscape drawing just this evening and has not had time to review the drawing; however, she noted that it appears that possibly six trees might be impacted along the roadway depending on the extent of clearing and location water/sewer lines. She asked Mr. Cotta if he had finalized plans regarding the water/sewer lines. Mr. Cotta stated that the plans have not been finalized but he has asked the Public Services Department if it could relocate the sewer lines into an easement in the rear yards to allow the project to move the roadway. That discussion has not yet taken place. Mr. Cotta noted that the goal is zero net runoff in accordance with the required rules. He noted that the turnaround meets the Town's standards for radius and he does not anticipate any problem.

Mr. Vinhateiro stated that the applicant had received comments from the Kingston Fire District which did not include any comment regarding a problem with the turnaround.

Discussion ensued with regard to sewer connection options, preservation of trees and location of the roadway.

Ms. Mack stated that the Planning Board was aware of the contest regarding potential home designs and the Board is very interested in that aspect of the project given its location within Kingston village. Mr. Raymond noted that they were looking for home designs that would fit with the LEEDS program with regard to environmental, sustainability and energy efficient characteristics. He stated that 19 firms entered the contest and Habitat for Humanity chose designs that fit the neighborhood. Mr. Raymond noted that three of the homes are the same interior design with different aesthetics and exteriors; the four-bedroom house is somewhat different.

Ms. Mack asked how Habitat for Humanity would deal with the homeowners' responsibility for the road and the parcel, since the homeowners own only the home and Habitat for Humanity owns the land. Ms. Laurence stated that there would be a homeowners' association noted as part of the ground lease. A homeowner would automatically be a member of the association and the association would maintain the roads, entryway and drainage. Ms. Laurence noted that the homeowners would have to work with Habitat for Humanity with regard to any type of activity that would require a building permit.

Ms. Beckman stated that she was presenting a landscape plan that the Planning Board has not seen. She noted that the parcel is relatively flat and it slopes down toward the west end of the site. The property is lined sporadically with some very large trees including Norway Maples. Ms. Beckman noted that some of the trees need a lot of attention and may not survive for long. She stated that her firm has tried to encourage the use of natural vegetation that is indigenous to the area when replacing existing vegetation. Ms. Beckman also stated that the number of existing street trees on the northern property line meets the Town's landscape code except at the end where replacements would be made. She presented a list of the types of trees and plantings that would provide shade, buffering and screening to the homeowners and to the detention pond. Ms. Beckman stated that all the plantings would be low maintenance, water tolerant and indigenous.

Mr. Maloney stated that he was an architect, a town planner and civil engineer. He provided an overview of his analysis of the existing land use that he was asked by Habitat for Humanity to prepare. He noted that the surrounding area which has been developed over a period of time is consistent with a single-family neighborhood with some student housing and URI institutional uses. Mr. Maloney noted that the proposal is a medium density development that is consistent with R-10 zoning. He stated that it was important to note that this is not rental housing and would remain affordable housing for 100 years and is compatible with the development in the existing neighborhood. Mr. Maloney outlined how the development complies with the miscellaneous criteria under Section 509, Low and Moderate Income Housing in the Zoning Ordinance. He noted the importance of ownership, the importance of seeking multiple sources for funding the project and the promotion of different housing opportunities that promote fair housing goals. He stated that based on the presentation of the engineer and the details that he developed he did not see any significant or negative environmental impacts on the proposed plans. He noted that additional traffic generated by the four single-family homes would be insignificant relative to existing conditions.

Mr. Webber, a Leed accredited professional, stated that as part of our culture we have become more environmentally aware of our surroundings and ways to improve the environmental quality. One of those means is to try to build in a more sustainable and environmentally responsible manner. Mr. Webber stated that LEED is an acronym for leadership, energy and environmental design and is operated by the U.S. Supreme Building Council. He noted that he was responsible for the first LEED house in Rhode Island and that there is a way of rating a house as to its environmental impact and sustainability. There is a series of categories to which a builder must adhere and then be reviewed by a third party. Habitat for Humanity International has been practicing a series of environmentally responsible programs for years and is now asking that each of its chapters does the same. Mr. Webber stated that Habitat for Humanity of South County has decided to build all its homes up to the Energy Star standards as well as the LEED standards. He outlined the four different levels of LEED standards and noted that all of the homes in Old North Village will attain at least the certified level. One of the components that the LEED process asks is responsibility for the neighborhood.

Ms. Mack stated that it is gratifying to see a design that can be both LEED certified and architecturally appropriate for the area and also be part of the affordability component.

Mr. Wyman, Assistant Vice-President for Business Services stated that real estate is one of the areas that report to him but also campus planning and design and the delivery of capital projects on the campus. He stated that the University and the Town entered into an agreement in 1969 for a land exchange. The proposed site previously housed the Old North Road

School and subsequently the West Kingston Elementary School. The Community Planning Program was the only occupant of that building and when he joined the URI staff he had to find a viable use for the site. Mr. Wyman noted that many different projects have been suggested for the site. He stated that in 1999 the property had reached a condition that was both an aesthetic and a safety issue and he started the process to raze the building and clear the site. Mr. Wyman stated that he secured approvals, met Health Department requirements and developed a remediation plan before removing the building. He noted that prior to removing the building URI had identified an underground storage tank that fueled the boiler in that building and some limited oil contamination was present. Mr. Wyman noted that DEM was notified and the tank was removed as well as some of the surrounding soil. A consultant for the University of Rhode Island confirmed that any residual contamination was minor but suggested a monitoring program for wells for one year to which the University agreed. He noted that the land is titled to the University and is under a sale and purchase agreement with Habitat for Humanity. Mr. Wyman supports the efforts by Habitat for Humanity and feels that this proposal would be very attractive for University employees and older students as well as the community.

Speaking at the Public Hearing were Ms. Sharon Northby, Mr. Northby, Mr. Larry Fortin, Mr. Dennis Haggerty, Mr. Vincent Turco, Mr. Christopher Cummisky, Mr. John Speights and Mr. Brian Maxwell . These abutting property owners expressed their concerns with the density of the project, the comparison to larger lots on surrounding properties, maintenance by the homeowners' association, the power to assess homeowners' fees, potential increase in existing traffic, increase in water table levels, impact of water problems on existing homes, type of homeowners, parking, and impact to existing home values.

Speaking in support of the proposal were Ms. Deidre Durocher, President of the South County Habitat for Humanity and Mr. Paul Jordan, Chair of the South Kingstown Affordable Housing Collaborative. They stated that the proposal would provide safe and consistent space for children. Ms. Durocher noted that Habitat for Humanity homeowners are looking for the same thing as other homeowners and that is pride in ownership. Ms. Durocher stated that many of the homeowners do not have cars so the chance of a homeowner having two cars is unlikely. She noted that with the proximity to URI and public transportation, this proposal would be a plus for a homeowner. Mr. Jordan stated that he was enthusiastic about the project and that the project is not about URI but about affordable housing. He feels that the project addresses the real needs of the community and hopes that the project moves forward.

Mr. Clendenen moved, Ms. Castrovillari seconded; motion carried: **Motion:** "The South Kingstown Planning Board hereby continues the Comprehensive Permit Conceptual Master Plan Public Informational Meeting for the Old North Village, a proposed four-unit minor land development project, 100% affordable, to its October 12, 2010 regular meeting."

VOTE: Mack – aye Clendenen – aye Kenerson – aye Castrovillari – aye
Morrison - aye

F. SPECIAL ITEM:

4. Recommendation to the Town Council, Proposed Zoning Ordinance Amendments, Article 5, Section 504.1, Special Use Permits, Location of OWTS

There was no discussion because staff was not prepared to make a final recommendation.

H. CORRESPONDENCE

No correspondence was noted.

I. COMMENTS – BOARD MEMBERS & PRINCIPAL PLANNER

Mr. Vinhateiro stated that the October 12, 2010 Planning Board meeting would be held at the Neighborhood Guild.

Mr. Clendenen stated that he would attend the September 24, 2010 TRC meeting.

J. ADJOURNMENT

Mr. Kenerson moved, Mr. Morrison seconded; motion carried: "To adjourn."

VOTE: Mack – aye Clendenen – aye Kenerson – aye Castrovillari – aye
Morrison - aye

The meeting adjourned at 9:55 p.m.