



# East Greenwich Planning Board

Wednesday, August 5, 2020

7:00 PM

Virtual Meeting Via ZOOM Video- and Tele- Conferencing

DATE OF POSTING: July 30, 2020

## EAST GREENWICH PLANNING BOARD AGENDA

When: August 5, 2020 07:00 PM Eastern Time (US and Canada)

Topic: Planning Board Remote Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89959758230>

Or Dial in by Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099

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or 888 475 4499 (Toll Free)

or 877 853 5257 (Toll Free)

**Webinar ID:** 899 5975 8230

International are numbers available: <https://zoom.us/j/89959758230>

**Any matter listed on this agenda is subject to a decision or vote.**

Individuals requesting services for the hearing impaired must notify the Town Clerk's office at (401) 886-8604

via RI Relay #711 (800-745-5555 TTY)

or in writing, at least seventy-two (72) hours

in advance of the hearing date.

### Planning Board Agenda

1. Call to Order

2. Roll Call

3. **Public Hearing/Second Reading on Proposed Amendments to the Land Development and Subdivision Review Regulations (LDSR's)** – The Town of East Greenwich has not conducted a review of its fee schedule for the review of land development and subdivision applications since 2010. Current fees do not capture the costs associated with such reviews. An

update of those fees is thus now proposed. Specifically, such update will involve revisions to Section 35 of the LDSR's. Within the Town Code, this section can be found at: "§ A263-35 Administration: administrative fees." Minor revisions to Section 25 of the LDSR's are also now proposed. This section, found at "§ A263-25 General Provisions: construction and/or improvement guarantees," addresses inspection fees paid to the Public Works Department in conjunction with infrastructure and utility installations at new developments. The proposed new fee language is attached to this agenda.

The Board is asked to review and comment on the draft amendments, conduct the public hearing as required by Section 31 of the local Regulations, and authorize staff to docket the matter for final reading and adoption.

**4. Annual Affordable Housing Report** – Per Section 260-101.2 of the Zoning Code pertaining to affordable housing, "The local review board shall submit a report on affordable housing activities in each fiscal year to the Town Council. . ."

The report shall include the following: (A) The number of applications to construct or rehabilitate affordable housing units submitted, accepted as complete, and rejected as incomplete, and

(B) The total number of dwelling units proposed to be constructed or rehabilitated in applications that are accepted and the number of dwelling units that are proposed to be affordable in such applications.

The Board is asked to review the draft report and advance it to the Council.

**5. Minutes** – The Board is asked to review and approve minutes of the 7/15/20 meeting.

**Adjourn**

**Public Access Instructions for "Virtual" East Greenwich Board Meetings**

The Town of East Greenwich is conducting a virtual Planning Board Meeting on Wednesday August 5, 2020 at 7 pm. The information below is provided to assist applicants, abutters, residents and other interested parties with the technical information necessary to participate.

The Town has chosen to use a video conferencing product called [Zoom](#) for hosting local public meetings during the current health emergency. Zoom is available as an app - you can download it on your smart phone or personal computer for free. (Deluxe "for-a-fee" versions also exist and many of you may already be using those in your own personal or business dealings.) You will also have the low-tech option of simply phone dialing-in for audio-only. We strongly encourage you to access the meeting visually – for obvious transparency reasons, so you can see Board members and applicants – but also because the presentations will be on-screen (plan sets and related reports) to round out your understanding of what is being considered.

To be clear, you do not have to have a Zoom account to attend a Zoom meeting. You may wish to create an account, but that is not required to participate in the Town's "virtual" public meetings. We hope you will join us via Smartphone, tablet, laptop, or computer as this option enables you to view the Board and presenters in a gallery view and to see all application materials presented on your screen. If accessing the meeting this way, you will be prompted to download the software. You can get to the meeting at its start time by either clicking the hyperlink in the posted agenda (available via the Town's or Secretary of State's Website) OR -

**Go to Zoom.us and Simply Click on "Join a Meeting".**

When you go to the Zoom website, you will be prompted to either JOIN or DOWNLOAD the Zoom tool. Note the DOWNLOAD will require a second step to install the application. This is a personal choice.

**Enter this Webinar/Meeting ID: 899 5975 8230**

To join you will be asked for your name and email. Your name is all that is required.

You will be asked if you want to join the meeting audio via computer audio, or via telephone. Use of computer audio is recommended, if enabled on your device, however you can also use your telephone for audio. When you enter the meeting room, your phone will be muted. You will be able to see members and participate when called on for public comment. If you would like to speak when the Chair opens the floor for public comment, use the 'raise your hand' icon in the Zoom platform, located toward the bottom of the screen. You will be recognized to speak and can share your comments via audio when recognized. You will be prompted on your screen to unmute yourself and you will be required to state your name for the record.

**If Accessing the Meeting By Telephone:**

If you do not wish to or if you do not have a device capable of accessing the internet-based Zoom meeting, you may use your telephone – land line or cellular - for audio-only access to the proceedings.

**Dial this number to join: +1 929 205 6099.** Alternative phone numbers can be used if necessary (if the line rings busy, for example):

+1 312 626 6799 (Chicago); or +1 346 248 7799 (Houston);  
or +1 669 900 6833 (CA); or +1 888 475 4499 (Toll Free).

**Enter this Webinar/Meeting ID: 899 5975 8230**

**Then press # and then # again (there are no "Participant ID's").**

When you join the meeting, your phone will be muted.

At the appropriate time, the meeting will be open for questions and comments. During the public comment portion of the meeting, anyone who wishes to be heard will be allowed to speak. Only one commenter at a time will be allowed to speak to ensure the comment is clearly heard and recorded. To be recognized, you will need to “raise your hand”. Dial \*9 to ‘raise your hand’ and be recognized to speak. Dial \*6 to unmute your telephone; and when done speaking, dial \*6 again to mute yourself. All speakers will be required to state their name for the record.

# 2020 Proposed Amendments to the East Greenwich Land Development & Subdivision Review Regulations

## § A263-35 Administration: administrative fees.

**A.** The Planning Board shall set reasonable fees, in an amount not to exceed actual costs incurred, to be paid by the applicant for the review and hearing of applications, issuance of permits and recording of decisions. These fees, payable to the Town of East Greenwich, shall be due and payable at the stages established in these regulations and shall pertain to all subdivisions of land and development projects, as follows:

**A.** For Subdivisions of Land: Fees listed at each stage below shall be computed to include the land covered by the subdivision proposal, including all streets, easements, and common areas but excluding land to be conveyed to the Town as permanent open space or recreation land.

(1) Preapplication conference review fee: ~~\$225~~, **\$300** plus \$15 for each acre or fraction thereof. ~~, which shall be computed to include all streets, easements and land to be conveyed to the Town covered by the proposed land development or subdivision.~~

(2) Master plan review fee: ~~\$325~~ **\$400**, plus \$20 for each acre or fraction thereof. ~~, which shall be computed to include all streets, easements and land to be conveyed to the Town covered by the proposed land development or subdivision.~~ The applicant shall also bear the costs associated with abutter notification and advertising for the master plan public informational meeting.

(3) Preliminary plan review fee: ~~\$425~~ **\$500**, plus \$25 for each acre or fraction thereof. ~~, which shall be computed to include all streets, easements and land to be conveyed to the Town covered by the proposed land development or subdivision.~~ The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

**(4)** Final plan review fee: ~~\$225~~ **\$300**, plus \$15 for each acre or fraction thereof. ~~, which shall be computed to include all streets, easements and land to be conveyed to the Town covered by the proposed land development or subdivision.~~

**(5)** Combined Master and Preliminary plan review fee, if approved by the Permitting Authority at the Pre-application stage: \$900, plus \$45 per acre or fraction thereof. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

**(6)** Combined Preliminary and Final plan review fee: \$800, plus \$40 per acre or fraction thereof. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

**(7)** ~~5.~~ Administrative subdivision fee: ~~\$100~~ **\$125**.

**B.** For Land Development Projects: Fees listed at each stage below shall be computed on the basis of either new dwelling units being created or square feet of new commercial, industrial, institutional or educational space. Mixed-use project fees shall be aggregated.

**(1)** Preapplication conference review fee: **\$300** plus \$15 per dwelling unit or per 1,000 square feet of non-residential space.

**(2)** Master plan review fee: **\$400**, plus \$20 per dwelling unit or per 1,000 square feet of non-residential space. The applicant shall also bear the costs associated with abutter notification and advertising for the master plan public informational meeting.

**(3)** Preliminary plan review fee: **\$500**, plus \$25 per dwelling unit or per 1,000 square feet of non-residential space. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

(4) Final plan review fee: \$300, plus \$15 per dwelling unit or per 1,000 square feet of non-residential space.

(5) Combined Master and Preliminary plan review fee, if approved by the Permitting Authority at the Pre-application stage: \$900, plus \$45 per dwelling unit or per 1,000 square feet of non-residential space. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

(6) Combined Preliminary and Final plan review fee: \$800, plus \$40 per dwelling unit or per 1,000 square feet of non-residential space. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

C. (6) For any request for an extension, minor amendment or reinstatement of an approved plan: \$100.

D. For any major amendment to an approved plan, the project reverts, per Section 41 of these regulations, to the Preliminary level of review and all relevant fees apply.

E.B. All fees shall be submitted in the form of a check payable to the Town of East Greenwich at the time application is made.

F. ~~C.~~ Peer review. To protect the public health, safety and welfare, the Planning Board may require peer review of expert witness reports and testimony on behalf of applicants. A list of peers and their fees shall be maintained by the Town for selection by the Town, and the cost of peer review shall be borne by the applicant. All costs associated with peer review shall be paid in full before Planning Board approvals are recorded in the land evidence records. The Town reserves the right to place a lien on the subject property for any fees not paid in full.

**§ A263-25 General provisions: construction and/or improvement guarantees.**

**A. Definition and purpose.**

**(1)** The purpose of this section is to provide a guarantee to the Town that the required improvements will be constructed.

**(2)** An improvement guarantee is a security instrument in a form that is acceptable to the Town to ensure that all improvements, facilities or work required as a condition of approval of a subdivision plan will be completed in conformity with the approved plans and specifications.

**(3)** Improvement guarantees shall be provided to ensure the proper installation and maintenance of required street, utility and other physical improvements and to ensure compliance with other conditions of final plat approval.

**B. General procedures.** Before any land development or subdivision plan is endorsed by the Permitting Authority, and before the recording of any subdivision plat, the Permitting Authority shall review and approve agreements for the completion of all required improvements. Such agreements shall, at the option of the subdivider, take the form of: 1) completion of actual construction of all improvements; 2) improvement guarantees; or 3) a combination thereof. At the preliminary plat review stage, the subdivider shall submit either of the following: 1) a letter to the Permitting Authority indicating his/her intent to complete the required improvements prior to the Permitting Authority's endorsement of the final plat; or 2) a letter requesting that security sufficient to cover the cost of required improvements be established by the Board.

**(1)** If improvements are to be constructed without a financial guarantee, all work shall be completed prior to endorsement and recording. Inspections shall be made by the Public Works Department at all required stages of construction as specified in § **A263-24** above. Written inspection reports shall be prepared by the inspector(s) and maintained by the Department of Public Works. All inspection reports shall be submitted to the Administrative Officer. An inspection fee equal to 2% of the estimated cost of construction for all public improvements as determined by Public Works Director shall be paid to the Finance Director prior to construction. **Where improvements shall not be**

public, construction inspections by the Department of Public Works are still required for sidewalks, curbing, easement demarcations, and storm-water systems. An inspection fee equal to 2% of the estimated cost of construction of these improvements, as determined by the Public Works Director, shall be paid to the Finance Director prior to construction.

All construction shall be inspected and approved by the Public Works Director under the direction of the Administrative Officer and according to the procedures in § **A263-24**. Upon completion of all required improvements, the Public Works Director shall notify, in writing to the Administrative Officer, of such completion, and a copy shall be provided to the subdivider upon request. The final plat shall be endorsed by the appropriate Permitting Authority member or Administrative Officer, and the plat shall be recorded as provided in § **A263-40**, at which time the lots within the subdivision may be transferred or sold. The applicant shall be required to post a bond in the amount of 10% of the construction estimate prior to acceptance of all required improvements by the Town. Such bond shall be held by the Town Finance Director for a period of one year to be released upon written request of the applicant following final inspection by Public Works and acceptance of the required improvements by the Town Council with the approval of the Planning Board. **(2)** If improvements are to be guaranteed, the below-listed procedures shall apply.