

Planning Board Minutes
January 9, 2019 – 7:00 P.M.
Town Council Chambers
125 Main Street
East Greenwich, RI

Members Present: Jason Gomez, Chair; Nate Ginsburg; Ben Lupovitz; Katie Keeffe;
Gia Griffith; Muhammad Akhtar

Members Absent:

Staff present: Lisa Bourbonnais, Planning Director; Aaron Lindo, Planning
Technician; Andy Teitz, Legal Counsel

Mr. Gomez opened the meeting at 7:07 and introduced those present.

1. For Decision: Master Plan review of a major commercial land development at 5865 Post Road, being Assessors Map 45-11, Lots 10 and 22. Project site currently contains a commercial enterprise (Anderson Ski and Dive) and a new roughly 6,000 square foot commercial building is now also proposed. Proposed use is a craft brewery. Property is zoned CH, Commercial Highway and is approximately 1.79 acres in size. Property Applicant is John Holmander dba Pilot Properties, LLC and the property is owned by Pilot commercial enterprise (Anderson Ski and Dive) and a new roughly 6,000 square foot commercial building is now also proposed. Proposed use is a craft brewery. Property is zoned CH, Commercial Highway and is approximately 1.79 acres in size. Property Applicant is John Holmander dba Pilot Properties, LLC and the property is owned by Pilot Properties.

The applicant requested a continuance until March 20th. Mr. Ginsburg made the motion to continue, seconded by Ms. Griffith, and passed unanimously.

2. For Decision: Preliminary Plan Review of a proposed major land development at 461 Main Street that calls for 15 new residential units at Map 75, Plat 3, Lot 286 with additional redevelopment of commercial space. The parcel is owned by applicant East Greenwich Properties, LLC. The parcel fronts on Main Street, Liberty Street, and Union Street. The property is currently zoned CD-1, Commercial Downtown which provides for both commercial and residential uses. Project appears to propose roughly double the allowable density but if it proceeds as a Comprehensive Permit including 25 percent of all residential units as deed-restricted affordable, any need for formal zoning relief will be negated. Property is located within the downtown historic district.

Attorney Matthew Callahan represented the applicant. He explained that the only issue with the project is the parking. There are 38 spaces shown on the original plan. 47 spaces are needed per zoning ordinance and the applicant is asking for a variance of 9 spaces. The applicant has tried to get 3 more spaces on the site which has been updated on the newest version of the plans, bringing the total to 41 spaces (relief for 6 spaces thus required). Mr. Callahan argued that 38 spaces would function better than 41 and that the original 38 spaces is more than most parcels have downtown.

There is also the potential for additional street parking. The applicant has done everything possible to try and provide off-site parking but have not been successful in the effort. He contended that the project would prove to be a real enhancement to the town and the Comp Permit is getting the town closer to the 10% affordable housing stock goal.

Ms. Bourbonnais commented that the parking was talked about conceptually at the last meeting. The Planning staff initially accepted that the 3 additional parking spaces would enhance the parking availability but when the plan was shown, it seemed too tight. The pavement goes right up to the sidewalk and it felt like some convenience and character were lost trying to accommodate surface parking. In both iterations of the plan, relief has to be given. With the updated plan, a waiver would be needed from the the parking lot design standards in addition to the required relief from the overall off-street parking count. It is ultimately up to the Board to decide if the parking is deficient.

The chair asked the Board for comments on which plan was preferred. Ms. Keeffe commented that the plan with 38 spots still far offers more parking than is currently available. Adding more spaces to the plan makes the site too tight. Dr. Akhtar agreed with keeping the 38 parking spaces. Mr. Ginsburg said that with the residential component, there is a more intensive parking demand which makes him favor the plan with the most spots. Ms. Griffith agreed with Ms. Keeffe's comments, favoring the 38 parking spots. Mr. Lupovitz commented that he did not like either plan because they both have inadequate parking and the project is overly dense.

Dr. Akhtar asked about the possibility of adding a tax for applicants who wish to exceed the parking standard. Ms. Bourbonnais commented that it is possible to do something like that with parking impact fees. Applicants pay into a pot of money when their project is parking deficient so that someday, additional parking could be developed in the vicinity. The Planning Department would like to do a parking demand study which could conceivably lead to introducing a parking demand fee.

Mr. Gomez added that downtown parking is an issue and he would like to fight to obtain every possible off-street space, even those that feel constrained. He appreciated the discussion of the expected parking demand and the shared parking model but he was ultimately in favor of the plan with 41 spaces.

Mr. Ginsburg made a motion to approve the draft motion dated January 9th that refers to the revised parking plan with 41 parking spaces. Mr. Teitz commented that the motion needs four votes to pass. Mr. Gomez seconded the motion. Discussing the motion, Ms. Keeffe commented that she still favors the plan with 38 spaces. Ms. Griffith commented that the greenspace looks inadequate and like it will have conflicts with the adjacent parking area. There was further discussion amongst the Board before the vote.

In a vote, the members approved the motion for preliminary plan (with 41 parking spaces) approval with 4 in favor, 1 against (Lupovitz), and 1 abstaining (Akhtar).

VOTE: Motion for preliminary plan approval 4-1-1.

Mr. Callahan said that he appreciated the courtesy from the Board throughout the proceedings. He asked if the applicant could have final approval administratively. It was agreed that applicant should come back before the Board for final approval.

3. Combined Pre-application and Preliminary Plan review of a two-lot subdivision for David and Samantha O'Neil at 158 Division Street, being Assessor's Map 84, Plat 2, Lot 72. Property is 1.04 acres in size and is zoned R-10 Residential and the result of the action will be one new single family house.

Michael McCormick, a surveyor with Alpha Surveyors, addressed the Board. Mr. McCormick was recognized as an expert and sworn in. He explained the project site. The proposal is to cut the original lot roughly in half producing a back lot that will front on James Street. There are no technical issues with the lot and the applicant is not asking for any relief. Any construction would be reviewed and approved by the building department. The new parcel has almost double the minimum area requirement for a lot in the zone and has adequate access with a curb cut as well as public water and sewer service.

Mr. Lupovitz made a motion to approve subject to conditions in the motion. Dr. Akhtar seconded the motion and it was unanimously approved.

VOTE: 6-0-0 in favor of the motion to approve.

4. Preliminary Plan review of "Cedar Hill Woods Phase 2" – a 3 unit minor residential subdivision at the end of Mallard Way, being Assessors Map 21-19, Lots 411 and 412. Projects previously reviewed here included "Cedar Hill Farm" and "Cedar Hill Woods Phase 1." Property is currently vacant and is zoned F-Property is approximately 6.99 acres in size. Applicant/Owner is F. Paolino Homes, Inc.

Scott F. Moorehead, the project engineer, was recognized as an expert and sworn in. He explained the background of the project. The project is subdividing 2 lots into 3 conforming lots. There are no outstanding concerns and it is straightforward. The conditions have been read and there are no objections. Ms. Bourbonnais commented that the project is essentially by-right. There is a lot of infrastructure in place already and now is the time to do this.

Mr. Moorehead commented that no other lots can be subdivided and this would be the only change over prior project approvals in this area. The change came about because there were two separate owners and now there is one owner. Ms. Bourbonnais commented that there are talks with the owner for a land swap with the abutting Clark property so that the Town might acquire a gift of open space to buffer the new construction.

Mr. Lupovitz made a motion to approve the Phase II preliminary plan subject to the conditions in staff's Draft Motion. Dr. Akhtar seconded the motion and it was unanimously approved.

VOTE: 6-0-0 in favor of the motion to approve.

A motion to adjourn was made by Mr. Lupovitz. Meeting adjourned at 8:05 PM.

Minutes respectfully submitted by Aaron Lindo, Planning Technician.

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